

Approved: \_\_\_\_\_  
Date 1-22-97

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT.

The meeting was called to order by Chairperson Steve Lloyd at 3:30 p.m. on January 14, 1997 in Room 526-S of the Capitol.

All members were present except: Rep. Vaughn Flora - excused

Committee staff present: Raney Gilliland, Legislative Research Department  
Hank Avila, Legislative Research Department  
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee: James J. O'Connell, Secretary of KDHE  
Ronald F. Hammerschmidt, Director of Environment  
John Irwin, Bureau Director  
Theresa Hodges, Acting Director  
Karl Mueldener, Bureau Director

Others attending: See attached list

Chairman Steve Lloyd called the meeting to order at 3:30 p.m. by apologizing for having a committee meeting on January 13, the first day of the legislative session. He realizes quite a few of the committee members had family and friends visiting the capitol on that day.

The Chairman welcomed James J. O'Connell, Secretary of the Kansas Department of Health and Environment. Mr. O'Connell addressed the committee in behalf of the Division of Environment. He gave the committee a brief summary of some of the responsibilities and issues of concern to the Division. The staff of that Division is conducting a two day briefing on the 1997 issues. He introduced Ronald Hammerschmidt, Director of Environment.

Mr. Hammerschmidt was welcomed by the Chairman. He provided each of the committee members with a booklet covering environmental issues. (See Attachment 1) He briefed the committee on four divisional groups, Policy and Procedure (HB 2955: 1996 Session Laws, Chapter 189), Surface Water Quality in Kansas, Total Maximum Daily Load and Low-Level Radioactive Waste. After discussing the issues there were questions by the committee.

Chairman Lloyd welcomed John Irwin, Bureau Director of Air and Radiation. Mr. Irwin briefed the committee on four issues, New Federal Ambient Air Quality Standards, Kansas City Ozone Maintenance Plan, Ozone Transport Assessment Group (OTAG) and Wolf Creek Exercise 97 (see pages 21, 22 and 23 of Attachment 1). Discussion and questions followed.

The Chairman introduced Rep. Kent Glasscock, Rep. Don Myers, and Rep. Richard Alldritt to the committee since they were not present in the meeting of January 13.

Theresa Hodges, acting Director of the Office of Science and Support was welcomed by the Chairman, she discussed Triennial Review of Kansas Surface Water Quality Standards, Use Attainability Analysis for Streams and Lakes, Self Audits, and Progress in Pollution Prevention Program. (See pages 17, 18, 19 and 20 of Attachment 1). She also referred to a copy of Kansas Environmental News, which is published quarterly. (See Attachment 2). Discussion and questions followed.

The Chairman introduced Karl Mueldener, Bureau Director of the Bureau of Water. Mr. Mueldener discussed the issues, Federal Safe Drinking Water Act, Small Systems, Nonpoint Source Pollution, Livestock Waste, Waste Load Allocations, Salt, and Funding. (See pages 9 thru 15 of Attachment 1). Questions and discussion by the committee followed.

Mr. Hammerschmidt thanked the committee for their attention and will be back tomorrow to continue the briefing.

The meeting adjourned at 5:15 p.m.

The next meeting is scheduled for January 15, 1997

# HOUSE ENVIRONMENT COMMITTEE COMMITTEE GUEST LIST

DATE: 1-14-97

NAME	REPRESENTING
<i>Theresa L. Hodges</i>	KDHE
<i>Ron Hammer</i>	KDHE
<i>Karl Muelbauer</i>	
<i>John Trwin</i>	KDHE
<i>Doug Wareham</i>	Ks. Fert & Chem Assn.
<i>Kim Sulley</i>	League of KS Municipalities
<i>Michelle Peterson</i>	Peterson Public Affairs Group
<i>Charles Benjamin</i>	KNRC / Sierra Club
<i>Steve Painter</i>	Wichita Eagle
<i>Zach A. Jackson</i>	Rep. Steve Lloyd Intern
<i>Jamie Clover Adams</i>	Governor's Office
<i>Jim Allen</i>	Sea board
<i>Art Brown</i>	mid-America Lumberman Assn
<i>Tim Monroe</i>	KDHE / Health / Epidemiology
<i>Mike Jensen</i>	Ks Port Council
<i>Mary Jane Stettin</i>	Ks Dept of Agr
<i>BILL HENRY</i>	Ks Society of Prof Engineers

**KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT**

**Division of Environment**

**Presented to the**

**House Environment Committee  
January 14-15, 1997**

**and**

**Senate Energy & Natural Resources Committee  
January 15, 1997**

**James J. O'Connell  
Secretary, KDHE**

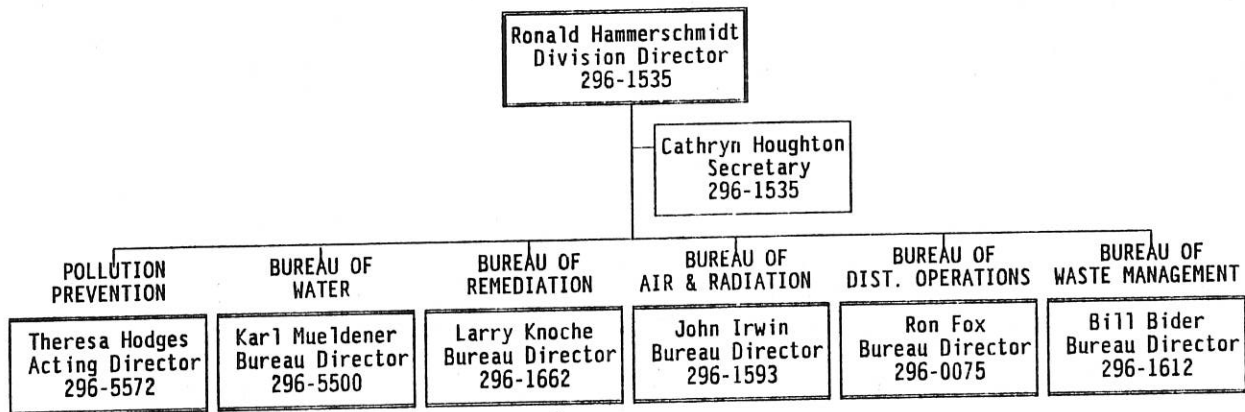
**Ronald F. Hammerschmidt  
Director of Environment**

**Bill Graves  
Governor of Kansas**

*House Environment  
1-14-97  
Attachment 1*

DEPARTMENT OF HEALTH & ENVIRONMENT  
DIVISION OF ENVIRONMENT

January 10, 1997



1-2



# BUREAU OF WATER

## 1997 Issues

- Federal Safe Drinking Water Act
- Small Systems
- Nonpoint Source Pollution
- Livestock Waste
- Waste Load Allocations
- Salt
- Funding

# DIVISION OF ENVIRONMENT

## 1997 Issues

- Policy and Procedure (HB 2955; 1996 Session Laws, Chapter 189)
- Surface Water Quality in Kansas
- Total Maximum Daily Load
- Low-Level Radioactive Waste

# OFFICE OF SCIENCE AND SUPPORT

## 1997 Issues

- Triennial Review of Kansas Surface Water Quality Standards
- Use Attainability Analysis for Streams and Lakes
- Self Audits
- Progress in Pollution Prevention Program

# BUREAU OF AIR AND RADIATION

## 1997 Issues

- New Federal Ambient Air Quality Standards
  - Ozone
  - Particulate Matter
  
- Kansas City Ozone Maintenance Plan
  - Wyandotte County and Johnson County
  - Ozone Episode of 1995
  - MARC Recommendations
  
- Ozone Transport Assessment Group (OTAG)
  - 37 State Study
  - Recommendations to EPA
  
- Wolf Creek Exercise 97

# **BUREAU OF WASTE MANAGEMENT ISSUES**

1997 Issues

- State Solid Waste Plan
- Financial Assurance for Local Government
- Supplemental Environmental Projects (SEPs)
- Small Landfill Issues
  - Operating Flexibility
  - Liner Demonstrations
- Local Solid Waste Planning
- "Kansas: Don't Spoil It" Program
- Waste Reduction Recycling Grants

# BUREAU OF ENVIRONMENTAL REMEDIATION

## 1997 Issues

- Cherokee County Superfund Site
- Trends of Environmental Contamination
- State Water Plan Projects
- Innovation Approach to Regionally Treat Contaminated Public Water Supply Wells

# BUREAU OF DISTRICT OPERATIONS

## 1997 Issues

- Community Outreach
- Division of Environment Entry Point
- Areas of Continuing Concerns
  - Short-term Staffing Needs
  - Training Needs

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
BUREAU OF WATER  
Major 1997 Issues

**Federal Safe Drinking Water Act:** The Act requires additional work of local water utilities and the state. Increased water testing and new standards are anticipated for disinfection by-products, pathogens, and managerial requirements. The Act creates a public water supply revolving loan fund. The Act increases reporting by the utilities to their customers, describing the quality of their source and treated water. The Act provides relief and corrections from the previous Act, the challenge to Kansas utilities, and KDHE, remain great.

**Small Systems:** Kansas is dominated by small water and wastewater systems, reflecting the rural nature of the state. Kansas has only 31 water supplies above 10,000 and 94% serve less than 3,300 population. The same generalities of size distribution apply to wastewater systems. Meeting the public's demands and increased federal requirements is impossible for many of the small communities. The communities rely on KDHE regulatory programs to provide technical assistance in accommodating the needs of small communities. The reliance of small utilities on KDHE's laboratory for water supply testing is an excellent example of this teamwork approach.

**Nonpoint Source Pollution:** Nonpoint source pollution is a term applying to pollutants entering the state's waters from diffused sources other than discharges through pipes, such as sewage treatment plants. Nonpoint sources of pollution require a different approach from the command and control applicable to sewage treatment plants. Best management practices is a term of art used to describe ways of doing business or methodologies that will reduce nonpoint source pollution. Outreach, education, and funding addressing nonpoint sources of pollution are needed.

**Livestock Waste:** Mismanagement of waste products can contaminate surface and groundwater. Continued growth of the industry and heightened public concerns, have re-emphasized livestock waste control practices.

**Waste Load Allocations:** Streams can absorb only so much waste discharge until they are considered polluted. KDHE sets discharge limits from sewage treatment plants to assure the stream standards are met. Setting effluent limits requires the allocation of the streams assimilative capacity among various sources. As development continues, further discharges will not be allowed or will be subject to very stringent discharge requirements, as the stream is fully allocated or appropriated.

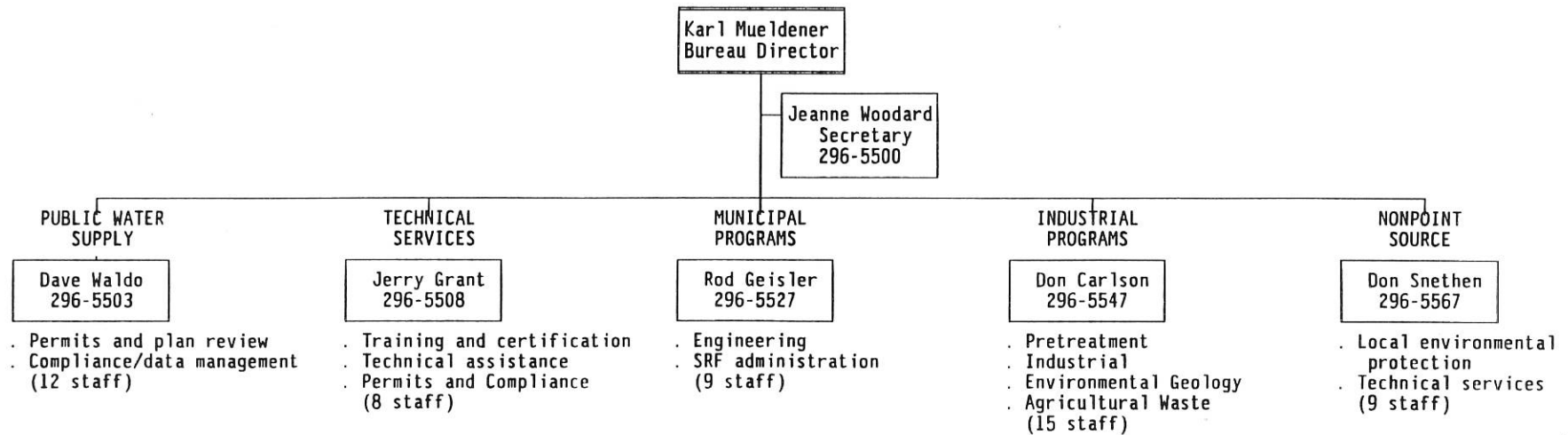
**Salt:** Salt is a common pollution problem, especially in the mid to western part of the state where stream flows are small to nonexistent. Salt pollution can occur from natural sources, municipal dischargers, home water treatment devices, past oil and mining activities, irrigation return flows, and industrial practices.

**Funding:** Bureau of Water programs have downsized by one-third since 1990. This one-third represents 23 positions which have been lost or unfilled due to funding cutbacks. While environment programs in general have expanded, the traditional water programs have been reduced. Funding for water programs remains a challenge.



DEPARTMENT OF HEALTH & ENVIRONMENT  
DIVISION OF ENVIRONMENT  
Bureau of Water  
296-5500

January 10, 1997



KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
 BUREAU OF WATER - Karl Mueldener, Director  
 Forbes Field, Bldg. 283, Topeka, KS 66620-0001  
 913/296-5500

**PROGRAM FUNCTIONS**

PUBLIC WATER SUPPLY SECTION	TECHNICAL SERVICES SECTION	MUNICIPAL PROGRAMS SECTION	INDUSTRIAL PROGRAMS SECTION	NONPOINT SOURCE SECTION
<p><u>Permits &amp; Plan Review</u>            Water Supply Permits            Water System Approval            PWS Minimum Standards of Design            Engineering Reports            Plans &amp; Specifications            Water Supply Development            PWS Needs Survey            PWS Priority List            SRF Development            CDBG Block Grant Review            Inspection Operator Assistance            PWS Regulation Development            Troubleshooting/Special Problems            Viability</p> <p><u>Compliance/Data Management Unit</u>            PWS Monitoring &amp; Compliance              Tracking            Compliance Assistance &amp; Training              to PWS's            PWS Database Development &amp;              Maintenance            PWS Record File Management            PWS Compliance, Violation &amp;              Enforcement Reports            PWS Report &amp; Sample Results              Review            PWS Statistical Reports            EPA Liaison</p>	<p><u>Training &amp; Certification Unit</u>            Operator Cert Compliance/Renewal            Technical Outreach Program (104g)            104(b)(3) Grant Program            KETS Liaison &amp; Advisory            Annual Operator School            Correspondence Courses            Certification Exams            On-site Training            Classroom Training            Record Keeping</p> <p><u>Technical Assistance Unit</u>            Water Pollution Abatement            Complaint/Investigation Asst.            Emergency Coordination            Municipal Sludge Program (503)            Interagency Hazard Mitigation Team            Water Shortages            Cross Connections            Water/Sewer Technical Assistance            In-House Training &amp; Technical              Assistance            Management/Asst/Program Support            EPA O&amp;M Awards Program            Liaison w/Bureau District Operations</p> <p><u>Permits &amp; Compliance Unit</u>            Technical Permit Review            NPDES &amp; State Permit Issuance &amp;              Renewals            Program Support            Permits &amp; Compliance System (PCS)            Discharge Monitoring Review            Laboratory Report Review            Directives/Orders            Legal Office Coordination            Hearings            EPA Liaison</p>	<p><u>Engineering Unit</u>            Engineering Reports            Plans &amp; Specifications            O&amp;M Manuals            NPDES Permit Development            KWPC Permit Development            Inspect/Operator Assistance            Special Problem/Investigation            Wastewater Minimum Standards              of Design            Construction Oversight            Preconstruction/Final Inspection            Program Support            Clean Water - State Revolving Fund              (CW-SRF) Project Engineering            Sewer Extension Permits            CDBG Block Grant Review</p> <p><u>SRF Administration Unit</u>            Grants Administration            Enforcement/Administrative Actions            CW-SRF Priority System            Record Keeping            Program Support            CW-SRF Administration            CW-SRF Payments            CW-SRF Re-Payments            CW-SRF Needs Survey            CW-SRF Annual Report &amp; Audits            Coordination with KDFA</p>	<p><u>Pretreatment Unit</u>            Develop Local Programs            Monitor Local Programs            Permit Development            Monitor Industrial Compliance            Reg/Admin. Program Assistance            Permit Coordination            Program Support</p> <p><u>Industrial Unit</u>            Minimum Standards of Design            Plans &amp; Specifications            Permit Development/Admin            Monitoring Reports            Inspect/Operator Asst            Site Appraisals            Special Problems/Investigation            Pretreatment Program Technical Asst            Stormwater Permitting Program            Program Support</p> <p><u>Environmental Geology Unit</u>            UIC (Class I, III, IV, V)            LPG Storage            Brine Spreading            Salt Solution Mining            Permit Development            Operator Support            Environmental Geology Support            Inspections            Water Well Licensing            Water Well Inspection            Water Well Database            Technical Support</p> <p><u>Agricultural Waste Unit</u>            Engineering Reports            Plans &amp; Specifications            Minimum Standards of Design            Permit Development            Monitoring Reports            Inspection/Operator Assistance            Technical Support</p>	<p><u>Local Environmental Protection Unit</u>            LEPP Administration            Grants            Local Environmental Protection              Plans            Local Program Reviews            Sanitary Code Review and Approval            Administration of On-site Wastewater            Regulations            Technical Assistance            Information and Education            Consistency Certifications            Local Nonpoint Source Plan            Environmental Coordination Act            Section 404 Permit            Federal Assistance and Development</p> <p><u>Technical Services Unit</u>            KS Nonpoint Source Management Plan            NPS Principles and Practices            KS Catalog of NPS Pollution Control              Practices            Demonstration Projects              Contract Administration              Project Development            Demonstration Project Financial              Assistance            Assessment and Analysis              Water Quality              GIS            Water Supply Protection              Watershed              Wellhead            Riparian Area Management            Technology Development and Transfer</p>

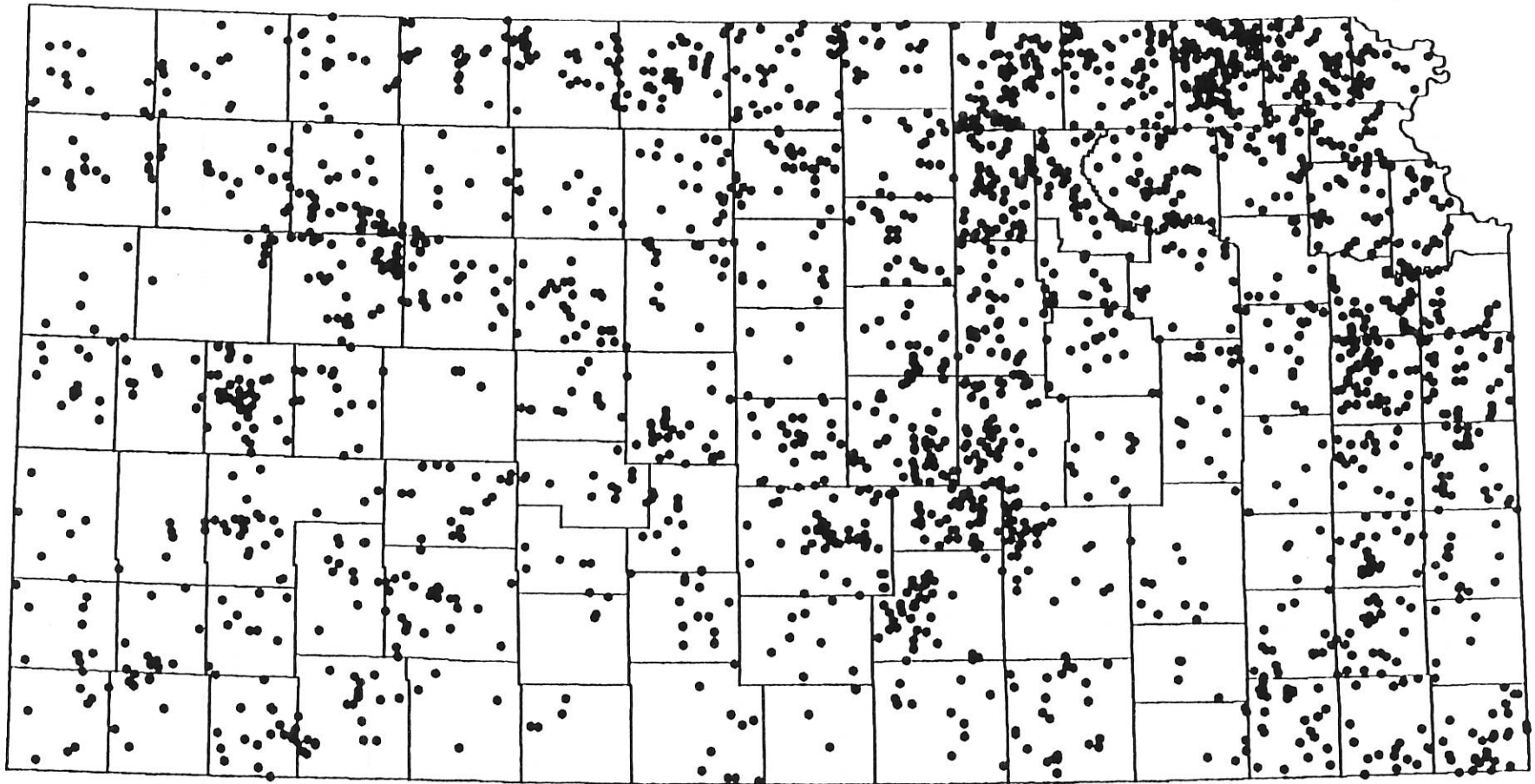
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KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
 BUREAU OF WATER  
 January 1997

The following lists the facilities permitted, licensed, or involved with the Bureau of Water:

Public Water Supplies	1,150
Federal Treatment Facilities	8
Industrial Treatment Facilities	480
Commercial Treatment Facilities	201
Municipal Treatment Facilities	750
Water Well Drillers	172
Salt Companies	5
Class III UIC (Salt Solution Mining Wells)	167
Hazardous Waste Injection Wells	5
Non-hazards Waste Injection Wells	42
LPG Active Facilities	10
Class V UIC Wells (Includes LPB wells)	3,606
Storm Water Permits Pending	2,200
Water Well Records Recently Received/Processed	7,600 /year
401 Clean Water Act Certifications	50 /year
Local Environmental Protection Programs	41
Nonpoint Source Pollution Cooperative Project Contacts	40
ECA Reviews	100
Water & Wastewater Operator Certification	3,809 /year
Water & Wastewater Construction Plans & Reports Approved	843 /year
Wastewater State Revolving Fund Loans - Number of Loans	65
Wastewater State Revolving Fund/ per year	\$175 M / \$23 M year
Livestock Certifications	661
Livestock Waste Permits	1,869
Pretreatment Program Cities	16
Pretreatment Industries Permitted by KDHE	248
Facilities Under 40 CFR Part 503 (municipal sludge)	185
Drinking Water State Revolving Fund - Total Loans	In Start-up
Drinking Water State Revolving Fund - \$/year	In Start-up

# ACTIVE PERMITTED FEEDLOTS



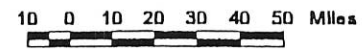
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## DATA SOURCES:

Feedlots: KDHE

Political boundaries: KGS/KCDB

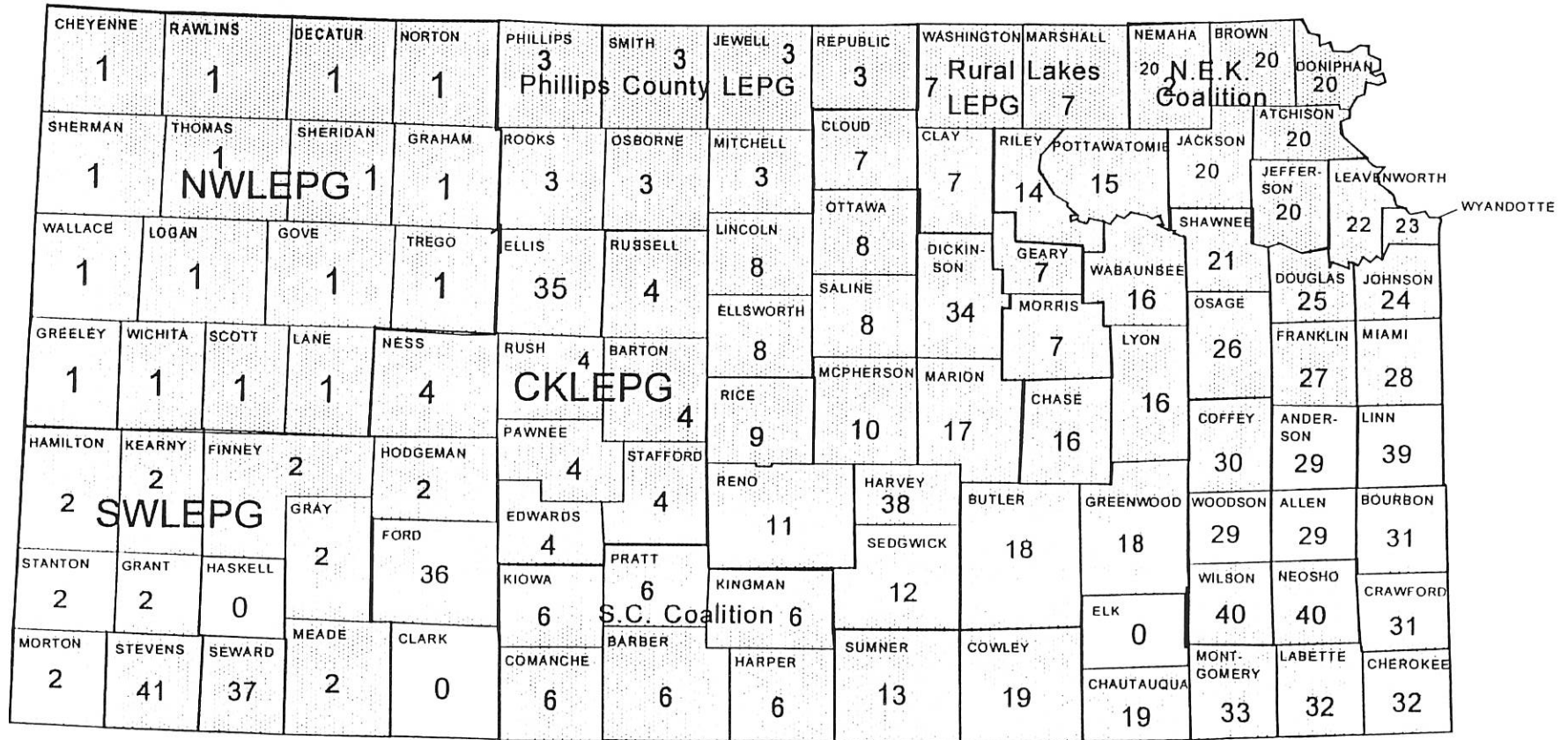
KDHE OIS/OSS, Sept. 1986 DRAFT



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# FY 1997 LOCAL ENVIRONMENTAL PROTECTION PROGRAM GRANT RECIPIENTS



UNSHADED COUNTIES DO NOT PARTICIPATE IN THE LEPP

- Haskell
- Clark
- Elk
- Woodson
- Allen
- Anderson
- Linn

sdb jan '97

9/1-1



**KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
OFFICE OF SCIENCE AND SUPPORT**

**Major 1997 Issues**

**Triennial Review of Kansas Surface Water Quality Standards:** The federal Clean Water Act requires states to review their water quality standards every three years. The last standards were revised, effective August 29, 1994. KDHE will review the standards in 1997. In the Fall of 1996, five listening meetings were conducted to receive input on this revision. Three focus advisory meetings are scheduled for additional input prior to staff beginning the review (January 30, February 4, and February 6). These meetings are open to the public.

**Use Attainability Analysis for Streams and Lakes:** The designated uses assigned to classified streams and lakes are a part of the surface water quality standards. These designations may require a use attainability analysis. Many waterbodies are in need of evaluation. This issue becomes one of resources and priorities.

**Self-Audits:** The 1995 Legislature enacted the audit bill which provides certain privileges to entities that implement environmental management systems which include self-auditing. EPA is looking very closely at states that have adopted such bills. KDHE has encouraged self-audits and continues to work with facilities that are implementing environmental management systems.

**Progress in Pollution Prevention:** The Office of Pollution Prevention (P2) was established in 1993 with a goal of establishing pollution prevention as the environmental ethic and integrating pollution prevention into the rulemaking, permitting and enforcement processes. Pollution prevention projects have been incorporated into Supplemental Environmental Projects (SEPs) as a settlement option for violations. The P2 office has a proactive role in the dissemination of environmental information and technical assistance. Outreach activities include the quarterly Kansas Environmental Newsletter, P2 training for KDHE staff, annual statewide conference, recognition of achievement through a P2 awards program, presentations, and telephone consultations. A contractual arrangement with Kansas State University provides on-site pollution prevention assessments to small/mid-sized business to assist them in complying with environmental regulations. A Small Business Environmental Assistance Program, under provisions of the Kansas Air Quality Act, is conducted through contractual arrangements with the University of Kansas, which formed a consortium with Kansas State University and Wichita State University to provide technical and compliance assistance to small businesses faced with complying with new air regulations. The Office of Public Advocate provides a focal point for questions, information, and assistance.

DEPARTMENT OF HEALTH & ENVIRONMENT  
DIVISION OF ENVIRONMENT  
Office of Science and Support  
296-6603

January 10, 1997

Theresa Hodges  
Acting Director  
296-5572

Ricquelle Landis  
Secretary  
296-6603

POLLUTION PREVENTION

Theresa Hodges  
296-5572

- . Statewide Pollution Prevention Program
- . Small Business Assistance Program
- . Office of Public Advocate
- . Publications/Program  
(4 staff)

FISCAL SUPPORT

William Mondt  
296-4049

- . Division Budget
- . Grants Management
- . Budget/Inventory Liaison  
(1 staff)

SCIENCE & STANDARDS

Bob Angelo  
296-8027

- . Surface Water Quality Standards
- . Surface Water Monitoring Program
- . Lakes and Wetland Program
- . Wastewater Permit Certification
- . Special Water Quality Investigations  
(12 staff)

DATA SUPPORT

Mike Butler  
296-5580

- . Water Data
- . Statistical Data Analysis
- . Geo-Referenced Environmental Data
- . Reports/Graphics
- . ARC-VIEW Training  
(3 staff)



**KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
OFFICE OF SCIENCE AND SUPPORT - Theresa L. Hodges, Acting Director  
Forbes Field, Bldg. 283, Topeka, KS 66620-0001  
913/296-6603**

**FISCAL SUPPORT**

Division Budget  
Fiscal Impact Statements  
Grants' Management  
Planning Activities  
Low Level Radioactive  
Waste Compact  
Commission  
Activities

**DATA SUPPORT**

Kansas Water Data Base  
EPA STORET  
Statistical Analysis  
Geo-referenced Maps  
Reports/Graphics  
Arc-View Training

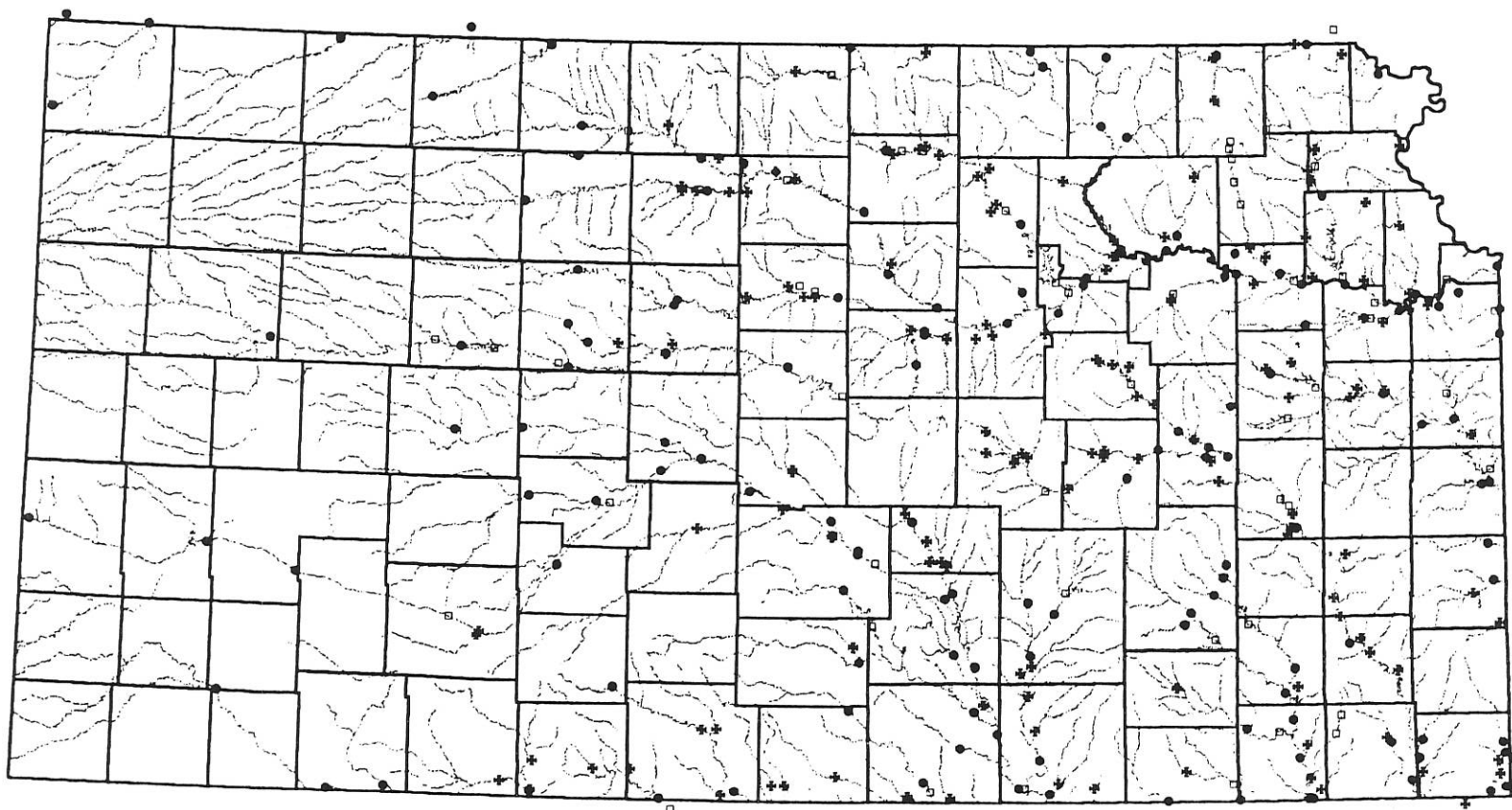
**SCIENCE AND STANDARDS**

Kansas Surface Water  
Quality Standards  
Review/Update  
Use Attainability Analysis of  
Streams and Lakes  
Surface and Groundwater  
Monitoring Networks  
Lake and Wetland Program  
Maintenance  
Permit Review  
Special Water Quality  
Investigations

**POLLUTION PREVENTION**

Statewide Pollution  
Prevention Program  
Environmental Conference  
Pollution Prevention Awards  
for Excellence  
Outreach and Assistance  
Kansas Environmental  
Newsletter  
Small Business Technical  
and Compliance  
Assistance Program  
Office of Public Advocate

# KDHE STREAM CHEMISTRY MONITORING NETWORK



- Fixed Site
- \* Rotational Site
- Discontinued Site
- Special Site

**KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
BUREAU OF AIR AND RADIATION**

**Major 1997 Issues**

**New Federal Ambient Air Quality Standards:** On November 29, 1996 the U.S. Environmental Protection Agency proposed new ambient air quality standards for ozone and particulate matter. These changes were prompted by studies showing that the health of sensitive groups within the general population are not fully protected under current standards. While the primary focus of these changes is believed to be urban air, the state of Kansas is evaluating the proposal closely to assure that a distinction is recognized between urban air which contains more particulate from combustion sources and rural air which is affected largely by particulate from blowing soil and road dust.

**Kansas City Ozone Maintenance Plan:** A five-county region in the Kansas City Metropolitan Area (Johnson and Wyandotte counties in Kansas) was initially identified as being in non-compliance with the federal air quality standard for ozone during the mid-1970s. A coordinated emission control strategy that involved federal, state, and local governments, area businesses, and national controls resulted in the area being declared in compliance in 1992. During the summer of 1995, elevated ozone measurements triggered a requirement for additional control measures. The states of Kansas and Missouri are currently working with the Mid-America Regional Council (MARC) to implement a series of recommendations prepared from a region-wide analysis of the problem completed during 1996.

**Ozone Transport Assessment Group (OTAG):** An extensive study of the impact of transported air pollutants upon the ozone problem in the eastern United States has been underway since late 1995. This study is being conducted within a 37-state region named the Ozone Transport Assessment Group (OTAG). The eastern one-third of Kansas is located on the far western edge of the OTAG study area. Kansas officials are scrutinizing the OTAG studies closely to assure that any recommendations for remediation actions presented to the U.S. Environmental Protection Agency by OTAG accurately characterize the contribution of Kansas, if any, to this problem.

**Wolf Creek Exercise 97:** On February 25, 1997, staff members from KDHE will participate with other state agencies, Coffey County, and Wolf Creek in an exercise to confirm that our integrated plans are adequate to protect the health and safety of the public in the event of a significant emergency at the Wolf Creek nuclear power plant. These exercises take place every other year and are graded by the Nuclear Regulatory Commission and the Federal Emergency Management Agency. KDHE staff from both the Division of Health and Division of Environment, will fill critical positions at an Emergency Operations Facility at Wolf Creek and at the State Emergency Operations Center in Topeka. KDHE provides protection action guidance that will be used to determine evacuation decisions and other protective measures.

DEPARTMENT OF HEALTH & ENVIRONMENT  
DIVISION OF ENVIRONMENT  
Bureau of Air & Radiation  
296-1593

January 10, 1997

John Irwin  
Bureau Director  
296-1542

Joleen Parr  
Secretary  
296-1593

TECHNICAL  
SERVICES

Jan Sides  
296-1551

- . Ambient air sampling
- . Stack testing
- . Continuous emission monitoring
- . Air modeling
- . Technical assistance (15 staff)

AIR PERMIT

Chuck Layman  
296-1579

- . Construction permits/approval
- . Operating permits (16 staff)

AIR & ASBESTOS  
COMPLIANCE

Gary Miller  
296-1547

- . Compliance issues
- . Enforcement actions
- . Liaison with Bureau of District Operations
- . Liaison with Local Air Agencies
- . Planning
- . Asbestos Program (10 staff)

RADIATION  
CONTROL

Vick Cooper  
296-1562

- . Radioactive materials
- . X-ray and mammography
- . Radon
- . Radiological emergency preparedness
- . Environmental radiation monitoring
- . Liaison with Bureau of District Operations (10 staff)

RIGHT-TO-KNOW

Jon Flint  
296-1688

- . Chemical information reporting
- . Toxic release inventory
- . State Emergency Response Commission (4 staff)

**BUREAU OF AIR AND RADIATION - John C. Irwin, Director  
Forbes Field, Bldg. 283, Topeka, KS 66620-0001  
913/296-1593**

<u>TECHNICAL SERVICES</u>	<u>AIR PERMIT</u>	<u>AIR &amp; ASBESTOS COMPLIANCE</u>	<u>RADIATION CONTROL</u>	<u>RIGHT-TO-KNOW</u>
<u>Ambient Air Sampling</u> Data Collection & Management Monitoring Plans Monitoring Reports	<u>Construction Permits/Approvals</u> New Permit Issuance Permit Modifications Public Notice/Hearing	<u>Compliance Issues</u> Complaints Excessive Emission Reports Permit Compliance	<u>Radioactive Materials</u> Investigations Licenses Inspections Medicare Certification Enforcement Regulatory Revisions	<u>Chemical Information Reporting</u> Compliance Review Inspections Enforcement
<u>Stack Testing</u> Test Observations Review/Certification	<u>Operating Permits</u> New Permit Issuance Permit Modifications Public Notice/Hearing	<u>Enforcement Actions</u> Permit Violations Open Burning Notices/Orders	<u>X-ray and Mammography</u> Investigations Registrations Medicare Certification Enforcement Mammography Certification	<u>Toxic Release Inventory</u> Data Collection Data Evaluation
<u>Continuous Emission Monitoring</u> Test Observations Review/Certification Annual Audits		<u>Planning</u> Statute Revisions Regulatory Revisions Plan Revisions		<u>State Emergency Response Commission</u> Staff Support
<u>Emission Inventory</u> Data Collection Dispersion Modeling		<u>Liaison with Bureau of District Operations</u>	<u>Liaison with Bureau of District Operations</u>	
<u>Technical Assistance</u> Engineering Support		<u>Liaison with Local Air Agencies</u> Compliance Issues Inspections Complaint Investigations Contracts	<u>Radon</u> Technical Assistance Public Outreach/Hotline	
		<u>Asbestos</u> Worker Certifications Contractor Licensure	<u>Emergency Preparedness</u> Wolf Creek & Cooper Exercises Incident Response Low Level Radioactive Waste	

**KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
BUREAU OF WASTE MANAGEMENT**

**Major 1997 Issues**

**State Solid Waste Plan:** Completed in December 1996, the state plan will serve as a helpful planning tool for local elected officials and other persons with solid waste management responsibilities. The plan provides background information on waste management in Kansas; it identifies statewide needs; it provides guidance on how to evaluate various waste management options; and it makes 33 recommendations for state, local, and private actions to improve waste management.

**Financial Assurance for Local Government:** The U.S. EPA recently finalized a rule specifying the methods which local government units operating municipal solid waste landfills may use to demonstrate that they are financially able to satisfy closure and post-closure care requirements at their landfills. KDHE is mailing information to all affected parties and holding workshops to provide additional assistance in satisfying this requirement which must be completed in 1997.

**Supplemental Environmental Projects (SEPs):** When significant violations of hazardous waste regulations are discovered during department inspections, penalties are sometimes assessed to serve as a deterrent to potential violators. In lieu of paying calculated penalties, facilities may perform SEPs which are projects designed to improve the environment. SEPs appear to be preferred settlement options for most businesses even though the cost of the SEP projects must exceed the penalty amount (typically a 3 to 1 factor is used).

**Small Landfill Issues:** Two major issues for 1997 which affect the 33 qualifying small landfills in western Kansas are: (1) the need for the state to establish operational flexibility at small landfills before the regulatory deadline of October 9, 1997 arrives; and (2) the need to complete liner demonstrations before the deadline. Without statutory and regulatory change in the next 9 months, the same operational requirements which apply to large landfills will also apply to small landfills. Successful demonstrations that natural soils provide adequate protection of groundwater will save counties much money by eliminating the need to construct costly man-made liners.

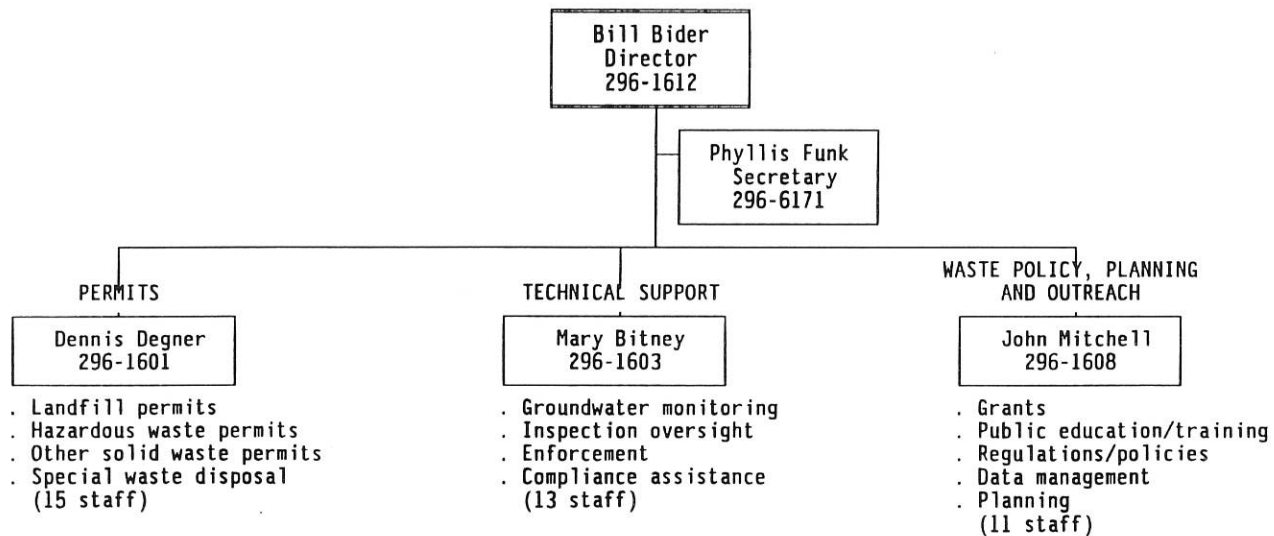
**Local Solid Waste Planning:** Most counties have completed local solid waste plans and received approval from KDHE. However, some counties have not yet submitted plans. According to statute, all counties must submit plans to KDHE within one year of the time the state plan was completed. All county plans are therefore due by December 18, 1997.

**Public Education / "Kansas: Don't Spoil It" Campaign:** This solid waste public education program was implemented in mid-1996 and officially unveiled by Governor Graves at the 1996 state fair. The purpose of the program is to positively influence individual and business decisions related to waste management. Various educational methods will be used including billboards, posters, brochures, PSAs, press releases, and public/private partnerships. Many educational items can be customized to meet the needs of local organizations.

**Waste Reduction and Recycling Grants:** Every six months grant applications are received from public, private, and non-profit organizations seeking funding for recycling, composting, and other waste reduction projects. These projects are funded from the solid waste tipping fee of \$1.00 per ton. Two rounds of grants have thus far been completed and total awards exceed \$1.8 million for about 44 projects. Grant awards are recommended by a seven member advisory committee appointed by the governor. Funding should be adequate to allow \$2 to 3 million more in grants over the next 2 years.

DEPARTMENT OF HEALTH & ENVIRONMENT  
DIVISION OF ENVIRONMENT  
Bureau of Waste Management  
296-6171

January 10, 1997





KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
 BUREAU OF WASTE MANAGEMENT - Bill Bider, Director  
 Forbes Field, Building 740, Topeka, KS 66620-0001  
 (913) 296-1600

PROGRAM FUNCTIONS BY SECTION

**WASTE POLICY, PLANNING AND OUTREACH  
SECTION**

Chief, John Mitchell  
(913) 296-1608

Planning, Grants, Public Education Unit  
(15 staff)

- Planning Grants
- Recycling/Waste Reduction Grants
- Household Hazardous Waste Grants
- Pesticide Collection Grants
- Waste Tire Grants
- Local SW Plan Reviews
- "Kansas: Don't Spoil It" Program
- Seminar/Conference Coordination
- Newsletter Coordination
- SW/HW Program Reports

Policy, Regs, Data Unit  
(3 staff)

- SW/HW Regulation Development
- Federal Program Authorization
- Policy Development
- Data Base Development and Maintenance
- Public Hearings

Hazardous Waste Data Unit  
(2 staff)

- Generator Registrations
- Transporter Registrations
- Exception Reporting
- Regulation Variances
- HW Public Notices
- Annual HW Reporting
- HW Fee Payments

**TECHNICAL SUPPORT  
SECTION**

Chief, Mary Bitney  
(913) 296-1603

Compliance & Enforcement Unit  
(5 staff)

- Inspection Plan Development
- Inspector Training
- Enforcement Determinations
- Settlement Negotiations
- Compliance Assistance
- Penalty Calculations
- Order/Agreement Preparation
- Data Management

Hydrogeologic Unit  
(7 staff)

- Comprehensive Monitoring Evaluations
- Operation & Maintenance Inspections
- Site Hydro Reviews
- Sampling & Analysis Plan Reviews
- Annual Report Reviews
- Groundwater Sampling Results
- Statistical Analyses
- Permit Conditions Development
- Liner Demonstrations

**PERMITS  
SECTION**

Chief, Dennis Degner  
(913) 296-1601

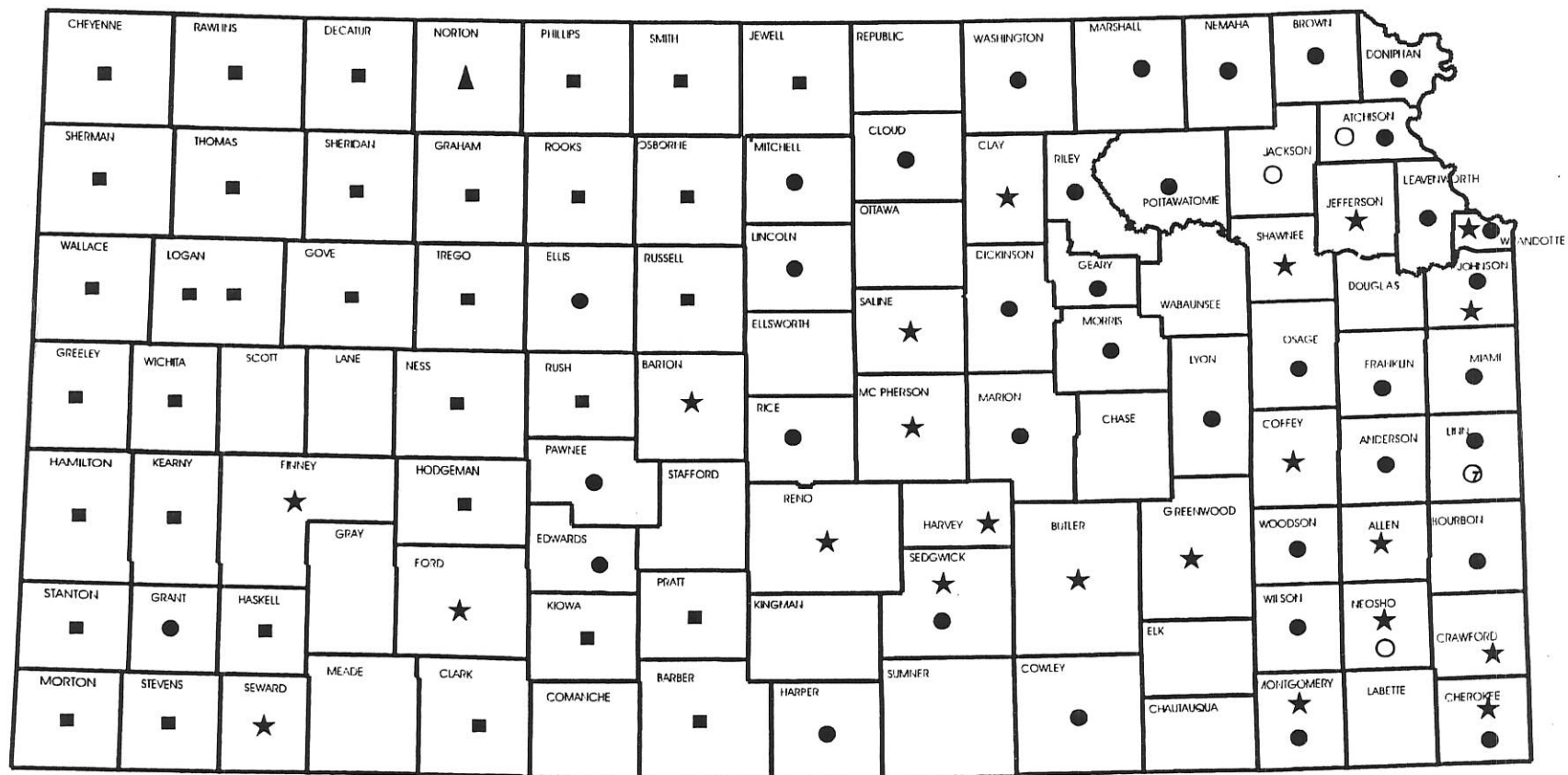
Note: Permitting Functions are similar for the three Waste Permit Units listed below:

- Hazardous Waste Facilities Unit
  - Solid Waste Landfills Unit
  - Solid Waste Processing & Special Waste Unit
- (15 staff)

- Application Reviews
- Design Evaluations
- New Permit Issuance
- Permit Modifications
- Public Hearings
- Closure Plan Reviews
- Site Inspections
- Risk Assessments
- Test Burn Oversight
- Regulation Development
- Special Waste Authorizations
- Financial Assurance Reviews
- Background Checks
- Closure Cost Evaluations



# MUNICIPAL SOLID WASTE MANAGEMENT IN KANSAS



## LEGEND

- ▲ **INCINERATOR**
- ★ **SUBTITLE D LANDFILL**
- **SMALL EXEMPT LANDFILL**
- **ROLLOFF CONTAINER TRANSFER STATIONS**
- **TRANSFER STATIONS**

1-87

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
BUREAU OF ENVIRONMENTAL REMEDIATION

1997 ISSUES

**Cherokee County Superfund Site:** The Cherokee County Superfund Site -- the Kansas portion of the Tri-State Mining District -- is affected by 100 years of widespread lead and zinc mining. The largest subsite in this area is the Galena subsite, where surface water, groundwater and human exposure to lead, zinc and cadmium were very prevalent. Corrective action at this site provided an alternative water supply in the affected area, waste piles were graded to encapsulate heavy metal wastes, thereby improving surface water runoff quality and limiting human exposure to heavy metals. The final remedial action involves removal of high lead contaminated soils from residential yards. Approximately 275 yards will be affected by this action. All remedial actions require a 10% state match to be eligible for Superfund funding.

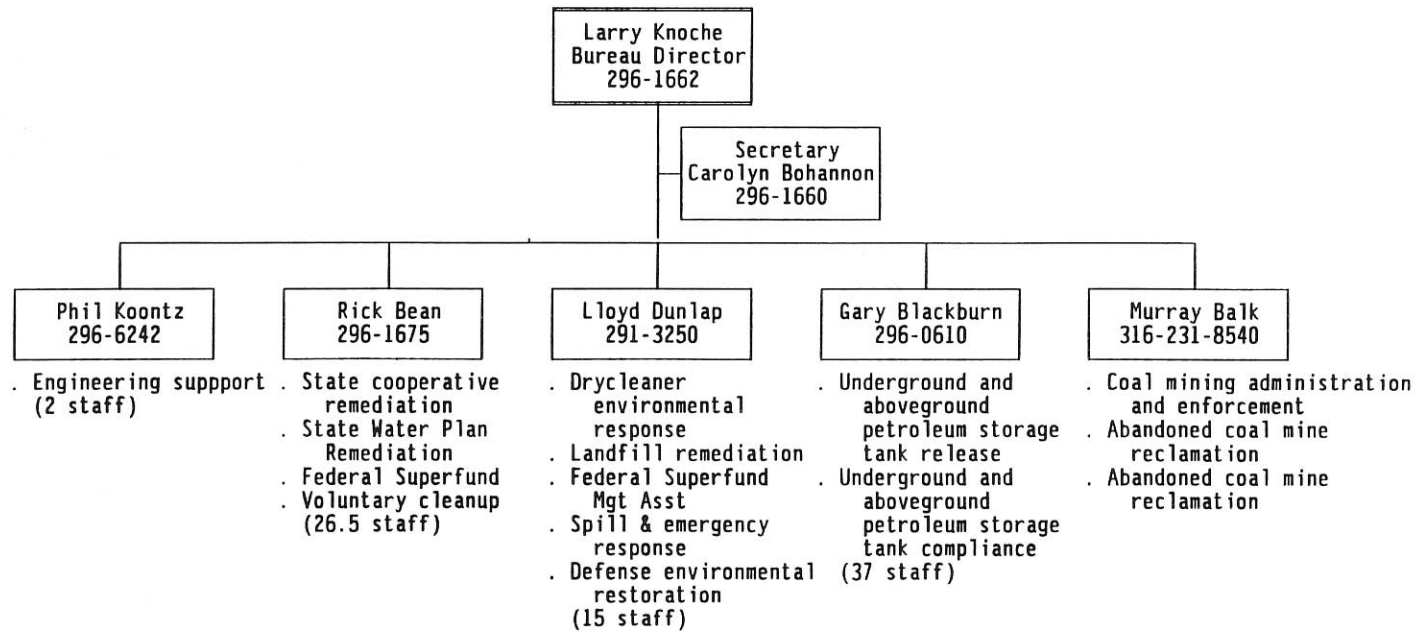
**Trends of Environmental Contamination:** As shown in the *Summary of Bureau of Environmental Remediation Sites in Kansas for 1995*, dated March 1996, the number of contaminated sites identified in Kansas has steadily increased each year with the percentage of resolved sites increasing as well. At the end of 1995, there were 645 identified contaminated sites. Of those, 120 sites (18.6%) are resolved, 165 (25.6%) are in the cleanup or post-cleanup monitoring stage, and 265 (41.1%) are under active investigation or pre-cleanup activities. Only 14.4% (93 sites) were in need of investigation and had not been under active remediation at the time the report was prepared.

**State Water Plan Projects:** The State Water Plan Contamination/Remediation Program continues to investigate, monitor and cleanup "orphan" sites across Kansas. In addition to cleaning up contamination, the program installed an air-stripper on the city of Agenda's public water supply wells to provide safe drinking water to citizens until a more permanent solution was determined. The program assisted Agenda in connecting its citizens to a rural water district as a permanent solution to the drinking water problems. KDHE is currently working with the cities of Portis, Hackney and Kirwin to find alternate safe drinking water supplies. The program also provides bottled water and in-house point of entry treatment systems to private well owners who impacted by contamination. Private well owners located near the former Hutchinson Naval Air Base were provided treatment systems for their drinking water supplies until a permanent solution is formulated. KDHE is developing a hydraulic containment/cleanup system to prevent contamination from migrating into several public water supply wells owned by the city of Lyons.

**Innovation Approach to Regionally Treat Contaminated Public Water Supply Wells:** The regional treatment and/or containment system is an innovative method to address multiple sources of contamination that have impacted or threatens to impact multiple city public supply wells. The regional treatment and/or containment can be used when contaminated sources qualify for funding through the Petroleum Storage Tank and Dry Cleaning Trust Funds. The regional approach allows cities to treat contaminated groundwater to drinking water standards and use the water, rather than abandon existing wells for new locations. The regional approach eliminates the need for multi-wellhead treatment systems which are costly to maintain and operate. The source of the contamination is addressed using the best available technology to treat the particular contaminant.

DEPARTMENT OF HEALTH & ENVIRONMENT  
DIVISION OF ENVIRONMENT  
Bureau of Environmental Remediation  
296-1660

January 10, 1997



KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
 Bureau of Environmental Remediation - Larry Knoche, Director  
 Forbes Field, Bldg 740, Topeka, KS 66620-0001  
 913-296-1662

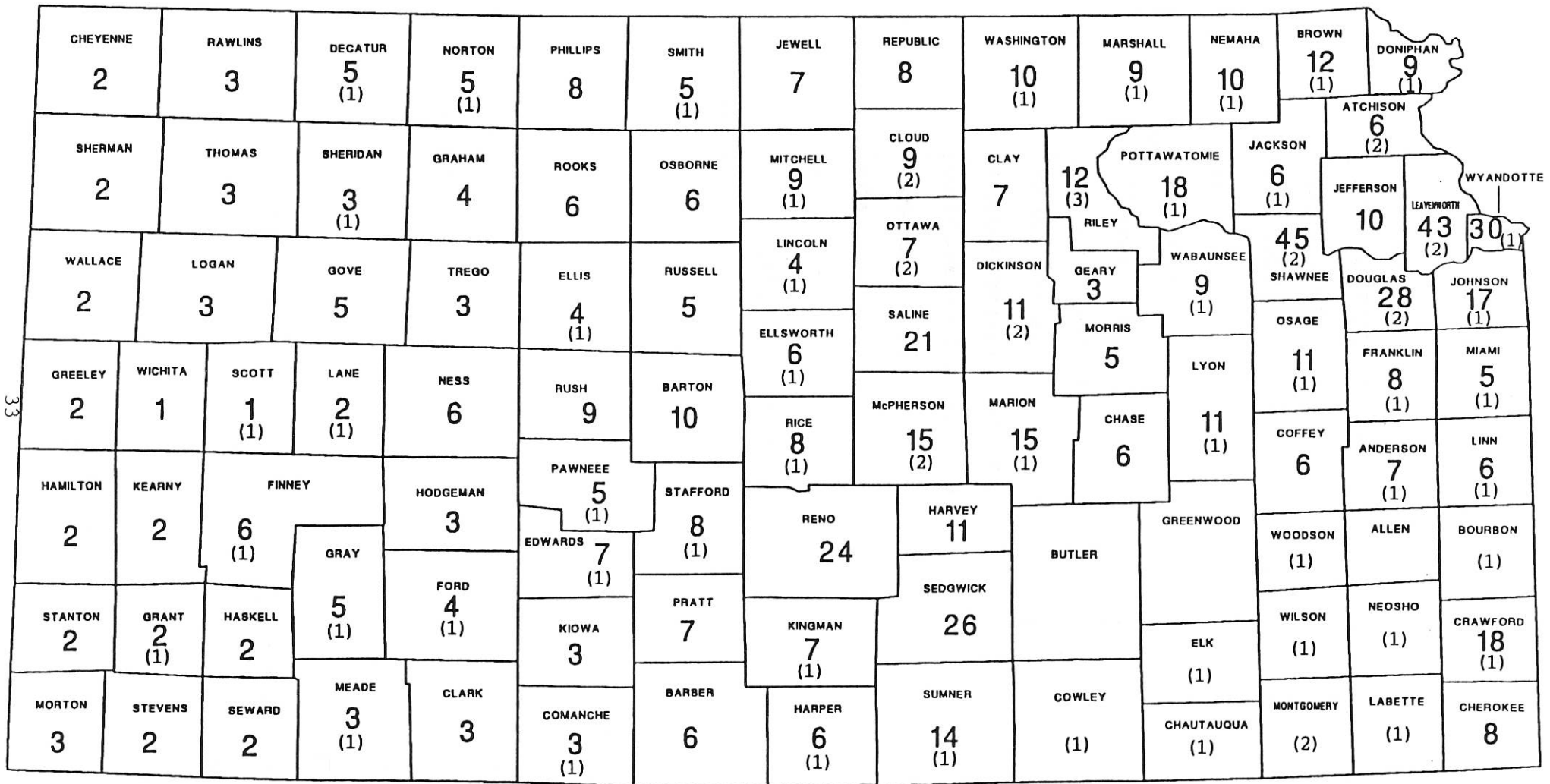
<u>Administration</u>	<u>Technical Services</u>	<u>Remedial</u>	<u>Assessment &amp; Restoration</u>	<u>Storage Tanks</u>	<u>Surface Mining</u>
Enforcement/Administrative Actions Grants Administration Budgeting Financial Management Program Support Priority Ranking System Record Keeping Policy Approvals Program Coordination	<u>Support for All Sections:</u> Remedial Design Reviews Operation & Maintenance Plan Reviews Establish Minimum Standards for Design Inspect Remedial Construction Projects Evaluate Remedial Pilot Tests Review Landfill Closure Plans Inspect Closed Landfills Provide Minimum Standards and Guidance for Landfill closures	<u>Activities for Programs Listed Below:</u> Contamination Assessments and investigations Cleanups Monitoring (long-term) Provide alternate drinking water supplies Community Relations Risk Assessments Potential Responsible Party (RP) Searches Responsible Party Negotiations  <u>State Cooperative Program:</u> Oversee RP Activities  <u>State Deferral Program:</u> Oversee Activities at Sites Deferred from National Priority List (NPL)  <u>State Water Plan Program:</u> Activities at "Orphan Sites"  <u>Voluntary Cleanup Pilot:</u> Coordinate Voluntary Cleanup Activities  <u>Pre-Remedial Program:</u> Federal pre National Priority List Sites  <u>State Superfund Program:</u> Activities at State Superfund Sites	<u>Drvcleaner Environmental Response:</u> Corrective Action Performance Standards  <u>Landfills:</u> Closure Plans at Closed Landfills Corrective Action at Landfills Repair Old Dump Sites Long-Term Maintenance  <u>Spill Program:</u> Remedial Action at Spill Sites Incoming Spill Calls  <u>State/Dept of Defense:</u> Assist DoD in Regulations Approve Cleanup Activities  <u>Management Assistance for EPA:</u> Assist EPA at EPA-lead Superfund Sites	<u>Underground and Aboveground Petroleum Storage Tank Release Remediation:</u> Investigate UST and AST System Releases Perform emergency Responses for Tank System Releases Obtain and Review Remedial Designs for UST and AST Sites Oversee Remediation of UST and AST Sites Monitor Low Risk Sites Assist Owners/Operators with Bidding Requirements Provide Reimbursement for Corrective Action Cost Perform Corrective Action at Orphan Sites Provide Reporting to EPA  <u>Underground and Aboveground Petroleum Storage Tank Release Compliance:</u> Permit USTs and ASTs License UST Installers, Removers and Testers Review and Approve Installation/Modification Plans Monitor Compliance with UST Requirements Provide Reporting to EPA	<u>Administration and Enforcement:</u> Permit Coal Mines Inspect Coal Mines Enforce Regulations Ensure Environmental Compliance Approve Coal Mine Bonding Release Bond Obligations Review Citizen Concerns Administer A&E Program  <u>Abandoned Mine Lands:</u> Reclaim Past Coal Mine Hazards Design Reclamation Projects Administer and Inspect Construction Inspect Reclaimed Sites Oversee Reclaimed Sites Maintenance Coordinate with other Agencies Administer AML Program  <u>Emergency Program:</u> Investigate Emergency Complaints Reclaim Emergency Coal Hazards Design Emergency Reclamation Plans Inspect Emergency Construction Projects Administer Program

# BUREAU OF ENVIRONMENTAL REMEDIATION

## CLOSED SOLID WASTE SITES

- \* NUMBER OF CLOSED LANDFILLS & OLD CITY DUMPS INSPECTED = 778
  
- \* NUMBER OF REPAIRS AT OLD CITY DUMPS = 8
  
- \* NUMBER OF OLD CITY DUMP REPAIRS AT FLOOD SITES = 14

# TOTAL NUMBER OF CLOSED SOLID WASTE SITES



## LEGEND

Number Sites - 778

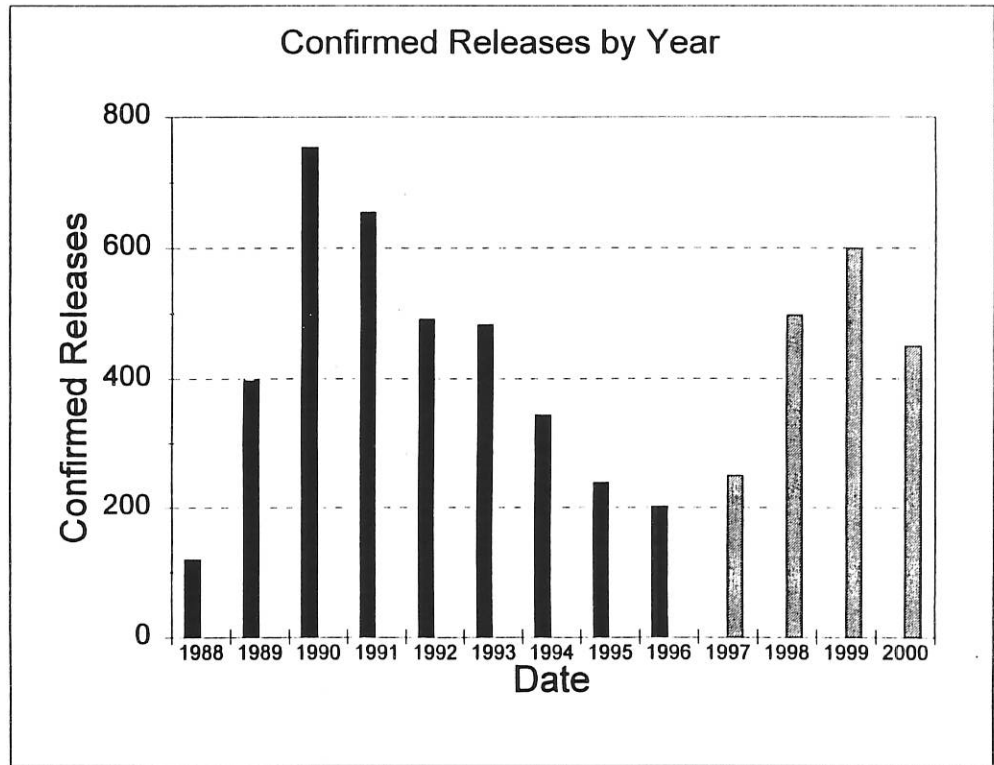
**Bold** - Total Sites

( ) - Closed Permitted Land

1-32

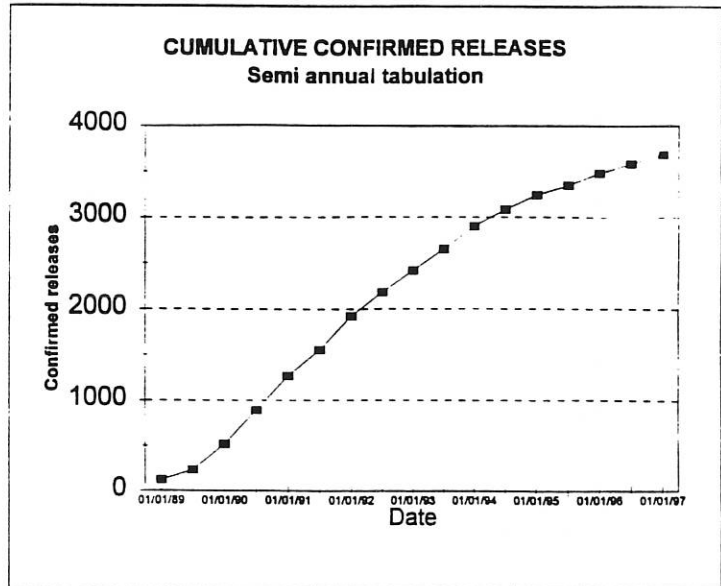
## Number of Confirmed UST Releases by Year

Year	Confirmed Releases per Year	Projected Releases per Year
1988	120	
1989	397	
1990	753	
1991	655	
1992	492	
1993	483	
1994	344	
1995	240	
1996	202	
1997		250
1998		498
1999		600
2000		450



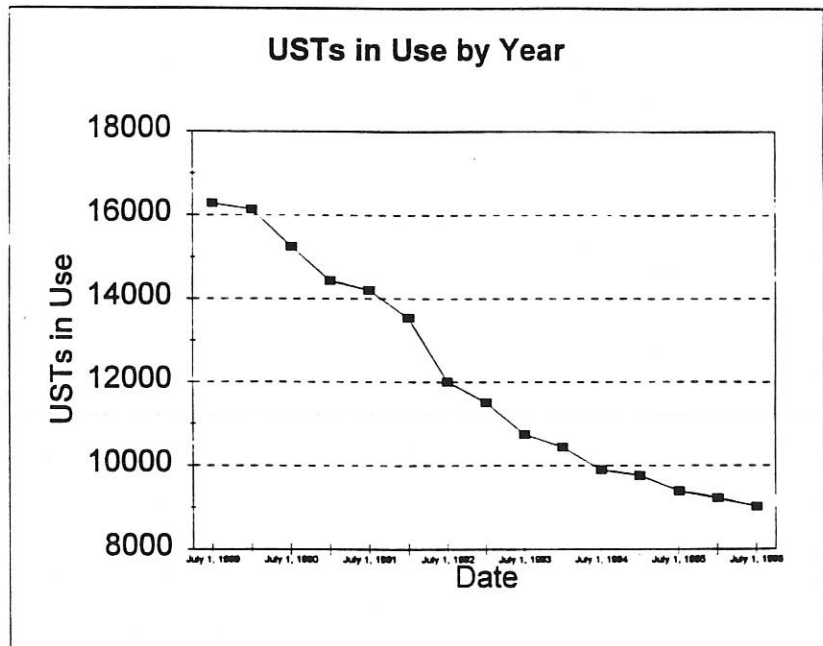
**Number of Confirmed UST Releases tabulated on a semi-annual basis**

DATE	# CONFIRMED RELEASES
01/01/89	120
07/01/89	233
01/01/90	517
07/01/90	891
01/01/91	1270
07/01/91	1554
01/01/92	1925
07/01/92	2183
01/01/93	2417
07/01/93	2655
01/01/94	2900
07/01/94	3084
01/01/95	3244
07/01/95	3349
01/01/96	3484
07/01/96	3591
01/01/97	3686



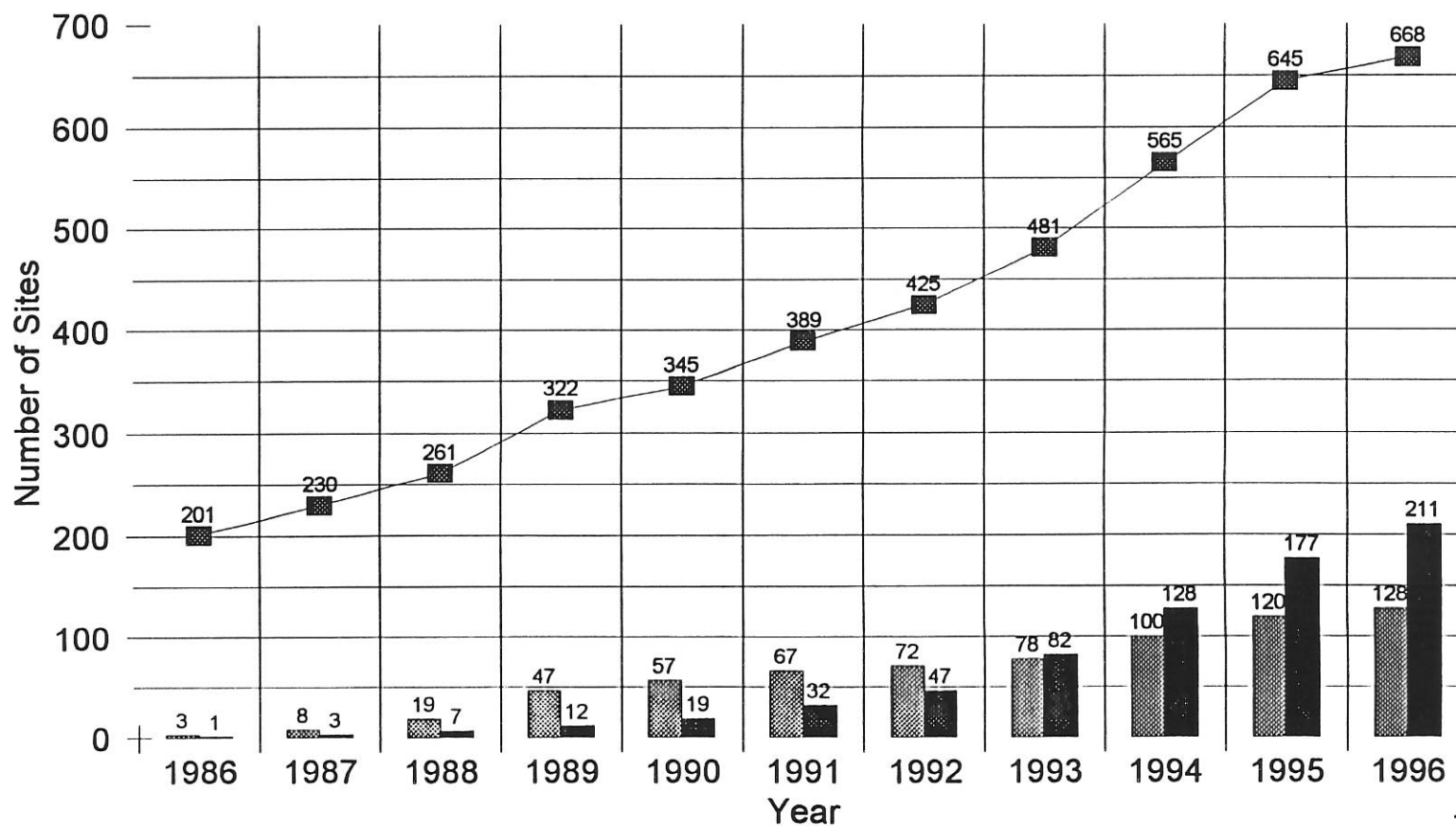
**Number of USTs In Use on a Semi-Annual Basis**

Date	# of USTs In Use
July 1, 1989	16290
January 1, 1990	16144
July 1, 1990	15254
January 1, 1991	14444
July 1, 1991	14207
January 1, 1992	13547
July 1, 1992	12012
January 1, 1993	11511
July 1, 1993	10745
January 1, 1994	10438
July 1, 1994	9893
January 1, 1995	9764
July 1, 1995	9393
January 1, 1996	9225
July 1, 1996	9016



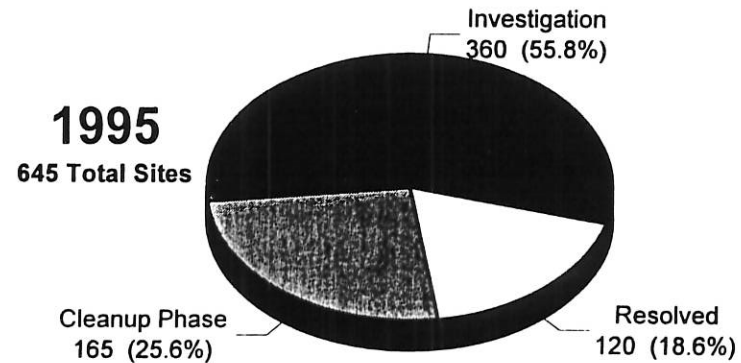
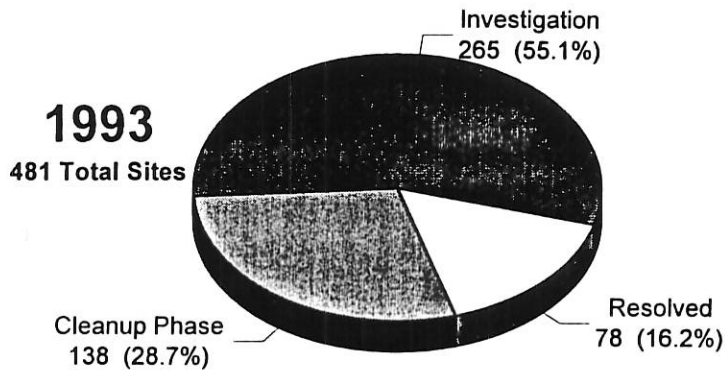
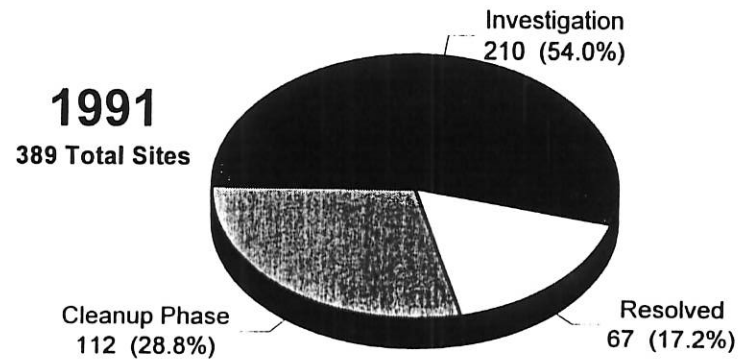
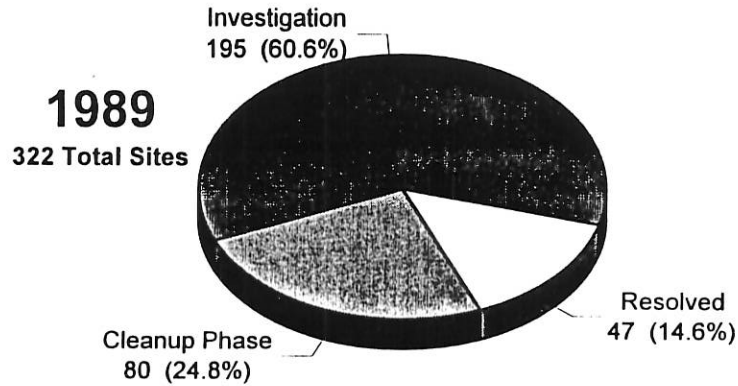


# Bureau of Environmental Remediation State Cooperative Program



# Historical Summary of Identified Sites

1989 through 1995



**KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
BUREAU OF DISTRICT OPERATIONS**

**Major 1997 Issues**

Since the Bureau of District Operations is the field branch of the Division of Environment, all the issues and concerns expressed by the program bureaus have a trickle down affect to district operations. Therefore, what happens within the program bureaus ultimately will influence the district operations.

Concerns unique to the district offices are:

**Community Outreach:** District offices routinely inform the communities about local department-related activities, regulatory changes, and represent the division at meetings.

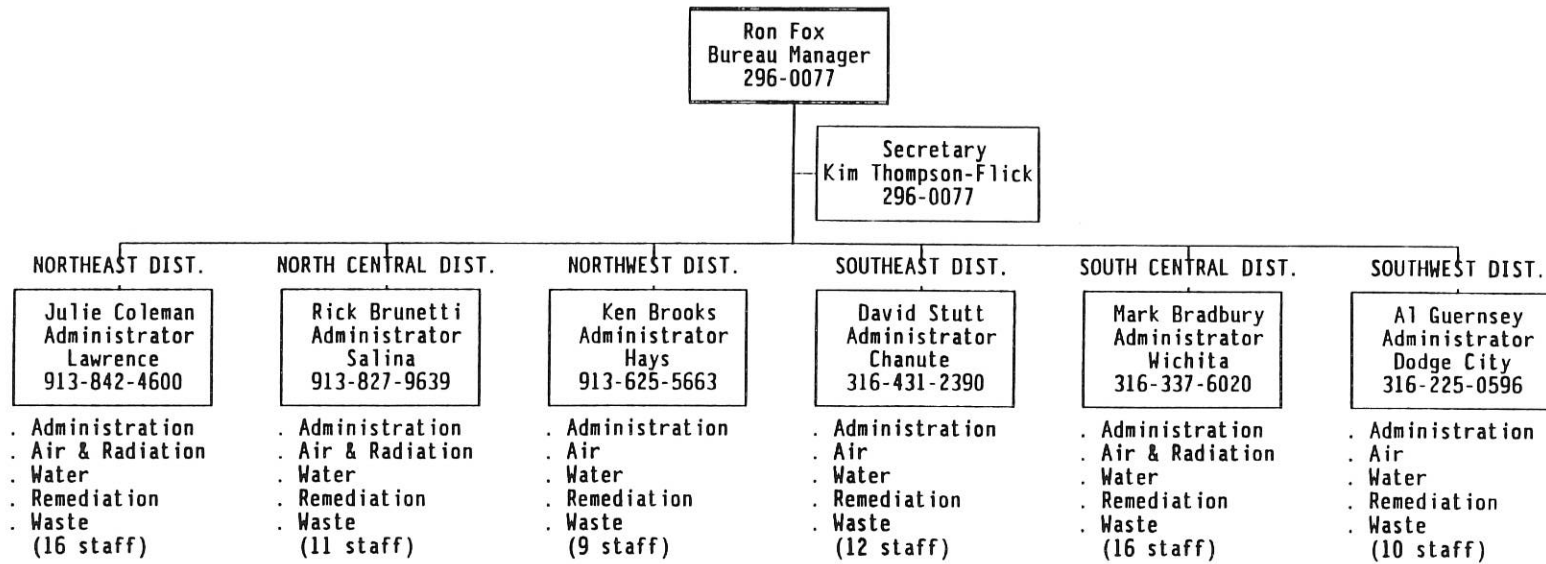
**Division of Environment Entry Point:** District offices are intended to be the initial point of contact for our clients for information, guidance, complaints, or technical assistance.

**Areas of Continuing Concerns:** Short-term staffing and training needs are continuing areas of concern for the district.

DEPARTMENT OF HEALTH & ENVIRONMENT  
DIVISION OF ENVIRONMENT  
Bureau of District Operations  
296-0077

January 10, 1997

04



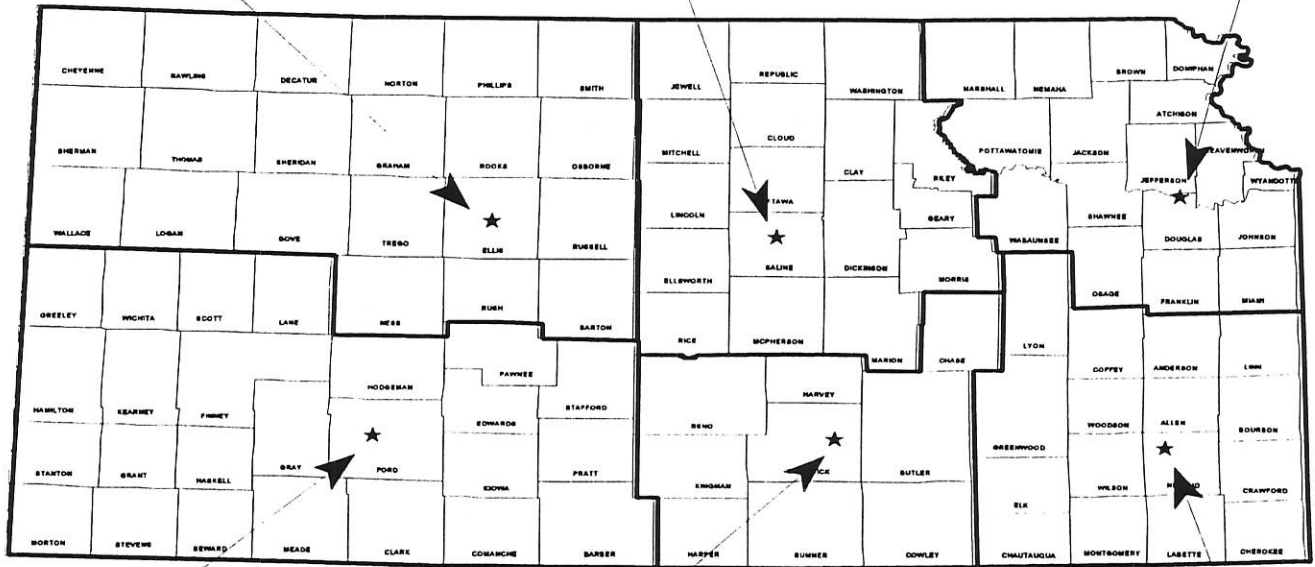
1-38

**STATE OF KANSAS  
DEPARTMENT OF HEALTH AND ENVIRONMENT  
BUREAU OF DISTRICT OPERATIONS**

**Ken Brooks**  
North West District Office  
2301 East 13th Street  
Hays, Kansas 67601  
913-625-5664

**Rick Brunetti**  
North Central District Office  
2501 Market Place  
Salina, Kansas 67401  
913-827-9639

**Julie Coleman**  
North East District Office  
800 West 24th Street  
Lawrence, Kansas 66046  
913-842-4600



**Al Guernsey**  
South West District Office  
302 West McArtor Road  
Dodge City, Kansas 67801  
316-225-0596

**Mark Bradbury**  
South Central District Office  
130 South Market, 6th Floor  
Wichita, Kansas 67202-3802  
316-337-6020

**David Stutt**  
South East District Office  
1500 West 7th Street  
Chanute, Kansas 66720  
316-431-2390

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# Kansas Environmental News

January 1997

## Secretary's Corner

A few weeks ago, I had the pleasure of joining Governor Graves and other members of his cabinet at a ceremony to update Kansans on the progress of the state's water quality initiative. During this opportunity at Mission Lake at Horton, the Governor reported he was impressed by the work we have accomplished.

This is the first time the state has banded together in a multi-agency effort to apply university research to a voluntary effort. While our role is to provide scientific support and monitoring of the water quality, along with non-point source and wastewater treatment services, it is no less important than the functions carried out by other agencies.

Our efforts at assessing the health and environment in Kansas are often misunderstood. The information frequently ends up in the media headlines with little or no discussion of what KDHE, or other state agencies for that matter, are doing to resolve those problems. It is a necessary component in the development of sound science-based solutions to the challenges that face the state.

The area around Horton was ideally suited for a test to be applied. Fourteen of 15 producers in Brown County voluntarily implemented land-management practices to reduce runoff. This was not a declaration of victory, but a celebration of steps in the right direction. I am confident we will be able to continue to make progress.

Progress and better understanding were the elements we shared with lawmakers during a series of legislative meetings in November and December. I saw this as an opportunity to share the department's mission and objectives.

During the legislative session when the agency is tracking several hundred bills, it becomes more difficult to provide the bigger picture. Successfully informing legislators about the complex tasks carried out by KDHE is not a one-time effort - it is ongoing.

The public wants, deserves, and supports cost-effective programs that reduce or eliminate foreseeable risks to human health from disease or environmental conditions. KDHE's effectiveness hinges more than ever on well-coordinated and mutually supported services from all divisions of the agency. This is the essential message conveyed to our Legislators.

*James O'Connell*

## KDHE WEB Site

The Kansas Department of Health and Environment has established a presence on the World Wide Web. At this time, postings to the web site have been narrative items but eventually, the site will enable database searches. The URL is <http://www.ink.org/public/kdhe>. The Office of Public Information and Office of Information Systems are coordinating the web site which is provided through the Information Network of Kansas.

The agency has literally thousands of items to draw upon to post on the site. The offerings right now are slim as staff determine which items to post and convert the material to the unique hypertext markup language used on the Internet.

The web site will be divided into four main areas along the lines of the four divisions: Health, Environment, Kansas Health and Environmental Laboratory, and Center for Health and Environmental Statistics. There will be a section with information about KDHE and a pointer to new additions to the KDHE web page. The goal of the web site is to provide commonly requested information electronically to improve public access to KDHE and reduce paper and resource costs in reproducing items.

Most of the web site will be written so people can use the Netscape browser. Graphics will be limited to make it easier to download the pages. An alternate home page for older browsers will be provided. The site will link to other governmental public health and environmental agencies.

Office of Public Information staff have been working with agency programs to collect information that will be posted to the web site. If you know of a need, e-mail the Office of Public Information at [uskant2n@ibmmail.com](mailto:uskant2n@ibmmail.com).

*Greg Crawford, Office of Public Information*

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*House Environment  
1-14-97  
Attachment 2*

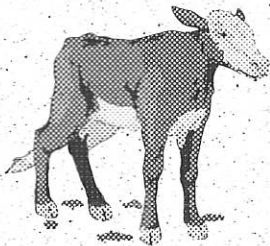


## News from the District Offices

### *North Central Office - Salina*

Since July 1, 1996, there has been a major emphasis on the assessment of livestock facilities that registered with the Department prior to that date. In addition to five staff in the Salina office, we were aided by staff from the Topeka office to complete the assessments in the shortest time frame possible.

In the north central district, a total of 545 facilities have been assessed since July 1. Additionally, we continue to review plans for construction of new or existing sites. Fourteen permits have been drafted and placed on public notice. We are continuing to investigate complaints and conduct scheduled compliance inspections.



### *Southeast Office - Chanute*

Since July 1, staff of the Southeast District Office in Chanute have conducted about 135 livestock facility site assessments. Three staff, Ron Tucker, Rex Heape and David Stutt, participated in 100 assessments in Marion County alone.

## State Solid Waste Plan Unveiled in Salina

On December 5, 1996, over 170 people met in Salina to participate in a day long public meeting sponsored by the Bureau of Waste Management (BWM) to review the recently completed "draft" state solid waste management plan. This plan was developed by KDHE with assistance from the Kansas Solid Waste Advisory Group and many other interested citizens. Technical consulting assistance was provided by Burns & McDonnell and Franklin Associates, Ltd., two firms with extensive experience in solid waste management. The attendees of the meeting included local elected officials, public works employees, private waste service providers, members of the media, county planners, regional authorities, consultants, and interested citizens.

The primary purpose of the meeting was to explain the highlights of the plan so that all in attendance would have a clear understanding of KDHE's overall waste management philosophy and priorities over the next several years. In addition, questions were answered and comments were received.

Most attendees seemed pleased with the department's decision to develop what is being referred to as a "process-oriented" state plan. That means the plan does not establish answers to all of the solid waste problems or issues which currently exist in Kansas. Instead, it includes many tools and resources to help state and local planners and policy-makers move forward with regular solid waste program evaluations. Decision-making models are provided to help local officials annually review their plans as is required by state law. In addition, the state plan is not prescriptive, meaning that new statewide mandates, such as quantitative recycling goals or landfills bans, are not established. The "one size fits all" philosophy is inappropriate for the great diversity which exists in Kansas communities. Therefore, local officials maintain authority for evaluating and selecting appropriate waste management methods and waste reduction programs under the state plan.

Following the meeting in Salina, the BWM made some revisions to the draft plan. Late in December, Secretary James O'Connell officially adopted the plan which is being distributed to over one thousand parties with direct responsibility in solid waste management. Anyone who does not receive a copy but would like one, should contact the BWM at (913) 296-1600. If you have any questions about the plan, please contact Bill Bider, Director, BWM at (913) 296-1612; John Mitchell, Chief, Waste Policy, Planning, and Outreach Section at (913) 296-1608; or Kent Foerster, Chief, Planning, Grants, and Public Education Unit at (913) 296-1540.

*Bill Bider, Director, Bureau of Waste Management*

## The Bureau of Waste Management Has Reorganized...

The Bureau of Waste Management impacts virtually every Kansas citizen because it administers both the hazardous and solid waste programs. Recently the bureau was reorganized along functional lines to provide better service to the public. The three new sections are: Permitting, Technical Support, and Waste Policy, Planning & Outreach.

The Permitting Section is divided into three units. The hazardous waste facilities unit is responsible for issuing permits for hazardous waste facilities, overseeing facility closure, and assuring that appropriate post-closure care is provided. Businesses that currently treat, store or dispose of hazardous waste (TSD facilities) or have done so historically require a permit. Hazardous waste permit applications are lengthy and frequently require a year or more for review and evaluation before a permit can be issued.

The two solid waste units in the Permitting Section issue permits for the municipal solid waste landfills, transfer stations; household hazardous waste facilities, construction and demolition landfills, industrial landfills, waste tire facilities and composting facilities. Solid waste permit applications can usually be reviewed quickly and permits are issued in just a few months in most cases.

The Technical Support Section is divided into two units; hydrogeologic and compliance/enforcement. The hydrogeologic unit reviews and evaluates groundwater monitoring systems at hazardous waste facilities and municipal landfills. The compliance and enforcement unit reviews all inspection reports to determine if enforcement action should be taken, and when necessary, develops and negotiates compliance orders as well as other forms of compliance agreements.

# KDHE REGULATIONS IN PROCESS

Prepared 12/06

REGULATION	DIV. DRAFT	EPA REVIEW	DOA REVIEW	A G REVIEW	PUBLIC HEARING	EFFECTIVE
<u>Waste Water Control:</u>						
General Permit Fees	Completed	N/A	1/5/96	1/29/96	6/20/95	9/27/96
Livestock Waste	In Process	N/A				
<u>Solid Waste Management:</u>						
Small LF Demos	Completed	N/A	6/96	7/96	*10/96	*12/96
Special Waste (N)	In Process	N/A	*2/97	*3/97	*6/97	*8/97
Waste Tires	In Process	N/A	*1/97	*2/97	*5/97	*7/97
<u>Hazardous Waste Management:</u>						
Haz Waste Treatment Fees (A)	Completed	N/A	*1/97	*2/97	*4/97	*6/97
Update Federal Regs (A)	Completed	N/A	*1/97	*2/97	*4/97	*6/97
Transfer Facilities (N)	In Process	N/A	*1/97	*2/97	*4/97	*6/97
Permit Application Fees (N)	In Process	N/A	*1/97	*2/97	*4/97	*6/97
Universal Waste (N)	Completed	N/A	*1/97	*2/97	*4/97	*6/97
Used Oil (N)	Completed	N/A	*1/97	*2/97	*4/97	*6/97
<u>Air and Radiation:</u>						
Air Emission Fees (A)	9/11/96		9/25/96	10/2/96	1/22/97	*2/97
Lower RVP gas(N)	9/24/96	11/6/96	10/23/96	10/31/96	1/23/97	*2/97
Gas Del Veh Testing	9/4/96		In Process	In Process	*3/97	*4/97
<u>Class I Operating Permits:</u>						
Annual Emissions Inventory (A) (adjust date to match fees)	9/4/96	N/A	In Process	In Process	*2/97	*3/97
<u>Class II Operating Permits:</u>						
Annual Emissions Inventory (A) (Adjust date to match fees submittal)	9/4/96	N/A	In Process	In Process	*3/97	*3/97
<u>Class II Operating Permits:</u>						
Permit-by-Rule; Reciprocating Engines (A) Adjust date to match fees submittal)	9/4/96	N/A	In Process	In Process	*3/97	*3/97
<u>Class II Operating Permits:</u>						
Permit-by-Rule; organic solvent evaporative sources (A) (adjust date to match fees submittal)	9/4/96	N/A	In Process	In Process	*3/97	*3/97
<u>Class II Operating Permits:</u>						
Permit-by-Rule; hot mix asphalt facilities (A) (Adjust to match fees submittal)	9/4/96	N/A	In Process	In Process	*3/97	*3/97
<u>HAPS: Limitations applicable to construction of new major sources or reconstruction of existing major sources (A)</u>						
	9/4/96	N/A	In Process	In Process	*3/97	*3/97
Transport Conformity Rule (A)	9/4/96	N/A	In Process	In Process	*3/97	*3/97
Update Existing NSPS, Neshap, MACT (A)		11/8/96	*1/97			
MSW LF Air Emission Std./Plan (N)	In Process					
<u>Environmental Remediation:</u>						
<u>Assessment and Restoration</u>						
Dry Cleaner Environmental Response Act	Completed	Completed	Completed	Completed	Completed	12/96

\*projected

New (N), Amended (A), Revoked (R)

Now Available for Public Distribution



## Regional Pollution Prevention Conference to be held in Kansas City

The US. Environmental Protection Agency (EPA) Region VII and the Region VII Pollution Prevention Roundtable will cosponsor a Pollution Prevention Conference June 3-4, 1997 at the Downtown Marriott Hotel, Kansas City, Missouri. Region VII includes the states of Kansas, Missouri, Iowa and Nebraska.

This first regional conference will focus on voluntary pollution prevention programs that provide economic advantages for business and industry, local governments and other organizations. The conference will offer case studies that highlight shifts from waste management practices to waste prevention, and how pollution prevention helps businesses achieve measurable environmental results often more quickly and with lower costs than would be the case with regulatory approaches.

The theme of the conference revolves around public/private partnerships and how voluntary goals and commitments achieve real environmental results in a timely and cost-effective way. In addition to traditional approaches to environmental protection, EPA is building cooperative partnerships with a variety of groups, including small and large businesses, citizen groups, state and local governments, universities and trade associations. The conference will bring together public and private sector representatives to discuss processes, procedures, practices and attitudes to stop generating waste. Presenters will discuss economic advantages of pollution prevention, conserving water and energy through the use of energy efficient technologies, life cycle analysis and sustainable development.

EPA will present awards to winners of the 1996 Region VII Pollution Prevention Environmental Excellence Awards at the conference. The Region VII office is currently accepting applications for this annual awards program. For more information, contact *Steve Wurtz, EPA Pollution Prevention Office at 913-551-7315.*

**Mark your calendars for the upcoming  
Household Hazardous Waste Training - Workshop**

**DATE:** February 18-20, 1997

**LOCATION:** Lawrence Holiday Inn - Holidome  
Lawrence, Kansas

**EVENTS:** Tuesday (February 18) will include several 8 hour training sessions to choose from. Successful completion of any selected course will qualify as annual refresher training.

Wednesday and Thursday (February 19 and 20) includes; a keynote address on the *Toxicity of Your Trash!* by the nationally known Dr. Rathje who is a "professional garbologist" from the University of AZ; numerous concurrent sessions addressing timely and practical information important to the management of HHW; a town hall session in which a panel of HHW experts will be ready to answer your questions; and a site tour at the Lawrence - Douglas County HHW facility.

**EXTRAS:** There will be exhibitors from businesses currently serving Kansas HHW programs. Additionally, local HHW programs will display information about their programs.

**ATTENDANCE:** This workshop is intended for individuals involved in the management of household hazardous waste (HHW), agricultural waste, pesticides, and small quantity generator wastes. It is for local governments interested in developing and implementing a HHW program.

**REGISTRATION:** Pre-registration for training is required. To register for a training session and/or the conference - workshop contact Cathy Colglazier at (913) 291-3510

**SPONSORED BY:** Bureau of Waste Management, Kansas Department of Health and Environment

BWM Continued from page 2

The unit also coordinates informational seminars for hazardous waste generators.

The Waste Policy, Planning & Outreach Section is responsible for developing new and updated regulations for both solid and hazardous waste programs, for providing oversight on grants for household hazardous waste programs and other solid waste projects, for organizing a variety of educa-

tional outreach programs, and for overseeing the state and local solid waste planning activities. This section also maintains the solid and hazardous waste data bases.

We hope that this new organizational structure will assist in providing better service to our many "customers."

*Mary Bitney, Bureau of Waste Management*

## Radon in Kansas

Fifty-five percent of our exposure to natural sources of radiation usually comes from radon. Radon is a colorless, tasteless and odorless gas resulting from the radioactive decay of uranium found in nearly all soils. Radon usually moves from the ground up, migrating into homes and other buildings through cracks and other openings in foundations. If buildings are not properly ventilated, radon may be trapped inside, where it accumulates and may become a health hazard. Scientists estimate that nearly one out of every 15 homes in this country (and about one out of three in Kansas) has indoor radon levels higher than four picoCuries per liter (4 pCi/l). The EPA recommends that corrective action should be taken with levels of radon 4 pCi/l and above.

When a person breathes air containing a large amount of radon, radiation from it may damage lungs, eventually causing lung cancer. Radon is the second leading cause of lung cancer in the United States with an estimated 7,000 to 30,000 Americans dying each year from radon induced lung cancer. Only smoking causes more lung cancer deaths and smokers exposed to radon are at higher risk than nonsmokers.



The Kansas Radon Program, located within the Bureau of Air and Radiation, educates Kansans to reduce the risk of indoor radon exposure. Staff provide appropriate information and guidance through a variety of public awareness projects including group presentations, public displays, pamphlets and other printed materials, and respond to inquiries by the public by answering questions or providing technical assistance as needed. Additionally, the program maintains an expanding database of indoor radon measurements in Kansas.

This database was initiated in 1988 with 2,031 data points, the result of a statewide survey, and has now increased to more than 16,000 data points. Upon receiving radon screening measurements data from EPA listed contractors, staff enter the information into the system and update radon mapping information. A new set of state and county maps is then generated. The information is reviewed and compared with previous data to see new indoor radon distribution throughout the state. With this information we have the possibility of laying out a strategy to study and to determine areas in need of more attention. Copies of new maps and data are shared with county health departments, environmental assessment firms, private individuals and other interested parties. When requested, staff will make evaluation visits to homes, schools and public buildings with radon screening measurements above 40 pCi/l. For more information on Radon, call the Kansas Radon Hotline at 1-800-693-KDHE (5343) or 913-296-6183.

*Khalid Kalout, Bureau of Air and Radiation*

## Cheney Watershed Receives National Award

The Cheney Watershed Program was among four nationwide recipients of the 1996 CF Industries National Watershed Award presented in Washington, DC, on September 25. Lyle Frees, Project Coordinator, and Howard Miller, Chairman, Citizens' Management Committee accepted the award on behalf of the program.

Almost all of the 543,000 acre North Fork Ninnescah Watershed, which drains into the Cheney Reservoir, is agricultural, and includes small dairies to large farms and rangelands. Cheney Reservoir, which supplies most of the drinking water for nearby Wichita, provides essential habitat for wildlife and serves as a center for outdoor recreation. To improve water quality, farmers throughout the five county region voluntarily developed the Cheney Watershed Program, which includes use of Best Management Practices to curtail pollution. The successful, cost-effective, nonregulatory program, implemented by the Citizens Management Committee, is based on a unique rural-city partnership of public agencies, landowners and private organizations. The Non-point Source Section, Bureau of Water, continues to be the grant's administrator for EPA Section 319 channeling funds to this project.

*Fran Bennett, Bureau of Water*

## Water Quality Standards Review Meetings

Section 303(c) of the federal Clean Water Act requires each state to review the surface water quality standards at least every three years. The current surface water quality standards (K.A.R. 28-16-28b thru f) were adopted in 1994. In preparation for the triennial review of the standards, three focus advisory group meetings are planned. Each meeting will focus on a single portion of the regulations: numeric and narrative criteria, stream-use designations, and administration and implementation. The purpose of these meeting will be to review each section of the regulations and identify if, and where revisions are warranted. The focus group will be comprised of representatives of regulated industries, municipalities, academia, environmental and trade groups, and other state agencies. **These meetings are open to the public.**

The meetings will be held at the **State Defense Building, Room 11, 2800 S. Topeka Blvd., Topeka**. The following dates and topics have been established:

**Thursday, January 30, 1:00 to 5:00p.m.**

Focus: Designated Uses

**Tuesday, February 4, 1:00 to 5:00p.m.**

Focus: Criteria

**Thursday, February 6, 1:00 to 5:00p.m.**

Focus: Administration & Implementation

If you have any questions about these meetings, please contact *Theresa Hodges* at 913-296-6603.



## Status of KDHE Requirements For "Industrial" Stormwater Discharges

### Background

KDHE continues to develop a stormwater discharge program in accordance with federal requirements for stormwater runoff from industrial and construction areas. In 1992, certain Kansas industries and businesses which manufacture or produce a product, and construction projects which disturb 5 or more acres were required to apply for a National Pollutant Discharge Elimination System (NPDES) permit for their stormwater runoff. Since 1992, KDHE has been providing assistance to these industries and businesses while working to develop NPDES general permits. The NPDES general permits would cover the majority of the industries and businesses subject to the NPDES permit requirement for their discharges of stormwater runoff.

### Construction Activity

Recently KDHE finalized the NPDES general permit for Stormwater Runoff from Construction Activity, and is working on a system to begin issuing the permits to the many construction projects which will disturb five or more acres of land. The text of the permit and associated guidance is available to contractors, developers, consultants, etc. so they may use it in planning projects and in protecting Kansas rivers and streams from

sediment and other pollutants in stormwater runoff. Copies can be retrieved from the EPA "PIPES" bulletin board. The *PIPES* modem number and settings are: 703-749-9216; eight data bits, one stop bit, and no parity; or the internet address is <http://pipes.ehsg.saic.com/pipes.htm>.

### Industrial Activities

Businesses which are classified as manufacturers or producers have a Standard Industrial Classification (SIC) code number between 1000 and 3999, and are the primary group of industries subject to the requirement to have an NPDES permit for stormwater discharges. There are other SIC codes which are included in the requirement to have applied for a permit, however the majority of those needing to have filed an application are in the 1000 to 3999 range. The SIC code of a business is usually on their "KCNS 100" form in Section 4. The Kansas Department of Human Resources, Labor Market Information Services Bureau can also provide business owners with their SIC code.

Many manufacturing businesses have applied to KDHE for coverage under the NPDES general permit for Stormwater Runoff from Industrial Activity, even though it is not yet

finalized. Businesses which have filed an application or Notice of Intent (NOI) for their industrial stormwater runoff do not need to provide any further information or documentation at this time. They will be contacted when the NPDES general permit for Stormwater Runoff from Industrial Activity is finalized. KDHE is hoping to finalize the NPDES general permit for Stormwater Runoff from Industrial Activity by mid 1997.

Applicants wishing to review and comment on the draft NPDES general permit before it is finalized should watch the Kansas Register for the notice informing the general public the draft general permit is available for review and comment. When the general permit is finalized it will require permittees to develop and implement a Stormwater Pollution Prevention (SWP2) plan.

KDHE continues to receive Notice of Intent applications from businesses just finding out about the requirement. If you are subject to the requirement and have not yet filed a Notice of Intent you should do so as soon as possible. The information provided above is generalized in order to keep the discussion simple. Specific details and fact sheets are available from KDHE at (913) 296-5557 or by contacting the K-State Pollution Prevention Institute at (913) 532-6501.

*Dave Freise, Bureau of Water*

## Mailing List to be Updated

In an effort to review our mailing list for accuracy, we will be mailing a postcard to all newsletter recipients within the next few weeks. Please take a moment to complete the postage-paid card, make any name or address corrections, and return it to us by **March 1, 1997**. Thank you in advance for your help! If you have any questions, you may call Janet Neff, 913-296-0669.





## Implementation of "Kansas: Don't Spoil It" Program

The "Kansas: Don't Spoil It" solid waste public education program is now being fully implemented by the Bureau of Waste Management and the hired public relations firm of Corporate Communications Group (CCG) of Overland Park. There are many components to this program including outdoor advertising (billboards), posters, technical brochures, bumper stickers, media relations, industrial relations, children's programs, and more.

After Governor Graves unveiled the theme and some example applications at the state fair in Hutchinson last September, CCG went to work to finalize many items. Although this program will be implemented as part of a two year project, many items are now beginning to be posted or will soon be available. The first billboards went up in early December 1996 and they will continue to run at 15 rotating locations throughout the duration of the project. Final work on many posters and brochures should be completed by early January and made available to local officials shortly thereafter. A catalog is due to be completed and distributed to local officials and private businesses in early 1997 from which posters and brochures can be ordered and even customized to meet needs. Additional items such as t-shirts, caps, and coffee mugs will also be included in the catalog.

Cities, counties, and schools will receive a certain number of posters and brochures free of charge. Cities and counties may delegate a private business to post and/or distribute these items on their behalf (also at no cost). There will be a modest cost applied to public sector orders which exceed the no cost allowance and for private company orders. Ordering procedures and allowances will be described in detail in the catalog.

By widely displaying the solid waste educational materials developed under this program, the department hopes to positively influence solid waste management practices in the state. We hope to see the development of new or enhanced waste reduction programs or greater participation in programs which already exist. We also hope to see a reduction in open dumping practices. Finally, we believe the planned educational materials will answer questions which many members of the public have regarding waste management issues. For this program to be successful, we need your assistance. Please help by ordering items and displaying them in highly visible areas in your communities.

If you have any questions about the "Kansas: Don't Spoil It" program, you may contact the **Bureau of Waste Management at (913) 296-1600.**

*Bill Bider, Director, Bureau of Waste Management*

## Pollution Prevention Awards Applications Available

The 1997 Kansas Pollution Prevention Awards application brochures are now available. The brochures include categories, dates, application procedures and pledge information. The brochures will be sent to everyone on the Kansas Environmental News mailing list, but if you do not receive one in the next few weeks, or if you would like multiple copies, contact the Office of Pollution Prevention at 913-296-6603.

### Calendar of Events

**February 18-20** Hazardous Household Waste Conference, Holidome, Lawrence, Kansas. Contact KDHE Bureau of Waste Management, 913-291-3910

**February 25-27** Region VII Nonpoint Source Pollution Conference, Columbia, Missouri. Contact Judy Scherff, 913-296-8038

**June 3-4** Region VII Pollution Prevention Conference, Westin Crown Center, Kansas City, Missouri. Contact Steve Wurtz, 913-551-7315

**September 24-25** KDHE Environmental Conference, Holidome, Lawrence, Kansas. Information to follow in April Kansas Environmental News