

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 400
Topeka, KS 66612-1367



Phone: 785-296-1535
Fax: 785-559-4264
www.kdheks.gov

Janet Stanek, Secretary

Laura Kelly, Governor

House Committee on Water

HB 2085 – Extending the expiration of permits issued under the water pollution control permit system

Kansas Department of Health and Environment- Tom Stiles Director of the Bureau of Water

Proponent Testimony

January 30, 2025

Chairman Minnix and members of the House Water Committee.

The Kansas Department of Health and Environment (KDHE) is a proponent of HB 2085 which requests a simple revision to existing statute to allow water pollution control permits to run up to ten years in length. Every wastewater treatment facility in Kansas is permitted by KDHE. Facilities that discharge wastewater have dual permits, comprising a federal National Pollutant Discharge Elimination System (NPDES) permit and a Kansas Water Pollution Control Permit, both issued by KDHE. Facilities that do not discharge (non-Q) to streams only receive the Kansas permit. Both permits have term lengths up to five years.

HB 2085 would immediately allow KDHE to issue Kansas Water Pollution Control Permits to non-Q facilities with up to ten-year terms. On the federal side, there has been movement in Congress for several years to extend NPDES permits to ten-year terms. If HB 2085 is enacted and Congress makes this change, then KDHE could also extend federal NPDES permits.

Having the flexibility to extend certain permits would allow KDHE to manage its workload for renewing wastewater permits. Reducing the number of routine permits allows staff to focus on more complex renewals and reduces the backlog of administrative extended permits. Not all eligible facilities would be extended to ten years. Facilities with complicated treatment systems, a history of performance issues and new and expanding facilities would continue to receive five-year permits. Simple facilities, facilities with no compliance issues, general permits and permits used to implement municipal integrated plans would be prime candidates for ten-year permits. Again, until Congress allows for Federal permits to run ten years, HB 2085 only applies to state permitted non-Q facilities.

Thank you Chairman Minnix and I will stand for any questions from the committee.