

SESSION OF 2025

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2085

As Recommended by House Committee on
Water

Brief*

HB 2085 would allow the Secretary of Health and Environment to issue a water pollution control permit for ten years at the discretion of the Secretary. Currently, the Secretary may issue a permit for five years.

[*Note:* The Kansas Department of Health and Environment (KDHE) administers the Kansas Water Pollution Control Permit Program for non-overflowing wastewater facilities that do not discharge to surface water. These facilities utilize recycle and reuse processes in their operations, evaporative wastewater lagoon systems, and land application of treated wastewater to agricultural cropland for beneficial use and nutrients for crop production, or they have contained wastewater hauled off-site by licensed commercial waste treatment and disposal companies. These non-overflowing facilities are issued a water pollution control permit and are regulated by KDHE. For systems that discharge into surface water, an additional permit from the U.S. Environmental Protection Agency is required.]

The bill would also make technical and conforming amendments in continuing law.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

Background

The bill was introduced by the House Committee on Water at the request of the Director of Environment on behalf of KDHE.

House Committee on Water

In the House Committee hearing, **proponent** testimony was provided by the Director of the Bureau of Water, KDHE, who explained that there is a movement at the state-level to increase wastewater permit terms from five to ten years for facilities that do not discharge to streams. States are asking the U.S. Congress to make the same change for federal permits for facilities that discharge wastewater into streams; however, that has not yet occurred. The bill would allow KDHE to begin issuing wastewater permits to non-discharging facilities, with up to ten-year terms, at the agency's discretion.

Written-only opponent testimony was provided by a former KDHE employee and licensed engineer.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, KDHE indicates enactment of the bill would not have a fiscal effect on the agency. The agency notes the bill would make a simple revision to an existing statute, and annual permit fees would continue to be levied regardless of the length of permit or type of facility, so there would be no change in revenues or expenditures. The agency notes that some facilities could save money through deferring necessary engineering services for applying and renewing permits over a longer period of time.

Kansas Department of Health and Environment; water pollution control permit; water