

February 2, 2022

The Honorable Dan Kerschen, Chairperson
Senate Committee on Agriculture and Natural Resources
Statehouse, Room 144-S
Topeka, Kansas 66612

Dear Senator Kerschen:

SUBJECT: Fiscal Note for SB 417 by Senate Committee on Agriculture and Natural Resources

In accordance with KSA 75-3715a, the following fiscal note concerning SB 417 is respectfully submitted to your committee.

SB 417 would establish new fee limitations for certain solid waste disposal areas and processing facilities that are regulated by federal regulations on the standards for the disposal of coal combustion residuals (CCR) in landfills and surface impoundments. The bill would change the annual permit renewal fee range for such area or facility from a \$1,000 minimum to \$12,000 and from a \$4,000 maximum to \$16,000. The first annual fees would be due September 1, 2022. The fee would be required to be charged at the \$12,000 minimum until a fee schedule was established in rules and regulations by the Secretary of Health and Environment.

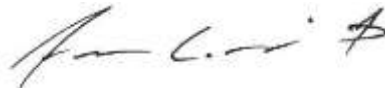
Estimated State Fiscal Effect				
	FY 2022 SGF	FY 2022 All Funds	FY 2023 SGF	FY 2023 All Funds
Revenue	--	--	--	\$192,000
Expenditure	--	--	--	\$57,872
FTE Pos.	--	--	--	0.4

The Kansas Department of Health and Environment (KDHE) states new federal regulations affect 16 electric power generating facilities that operate CCR disposal units. The agency would need to implement the federal regulations and the increased fees would provide the necessary funding for implementation while maintaining other solid waste programs. The agency estimates

revenue at \$192,000 for the 16 facilities at the \$12,000 minimum. A total of 1.5 FTE positions would be necessary, however, the agency indicates that two existing part time vacant positions totaling 1.1 FTEs could be filled.

KDHE estimates expenditures of \$57,872 in FY 2023 for salary and benefits for the 1.5 FTE positions, training, two laptops, and other necessary supplies and services. The agency states the program would require on-going costs beyond FY 2023 and the revenue would depend on the total number of CCR disposal units, which could change over time. Any fiscal effect associated with SB 417 is not reflected in *The FY 2023 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Dan Thimmesch, Health & Environment