

2017 A&WMA Conference

John Mitchell, Director
Division of Environment



**Our Mission: To protect and
improve the health and
environment of all Kansans.**

Overview

- **Division of Environment 2016 Accomplishments**
- **2017 Legislative Session**
- **Federal Changes Anticipated (but at this point unknown)**

Our Mission: To protect and improve the health and environment of all Kansans.



2016 Year in Review

Division of Environment Accomplishments:

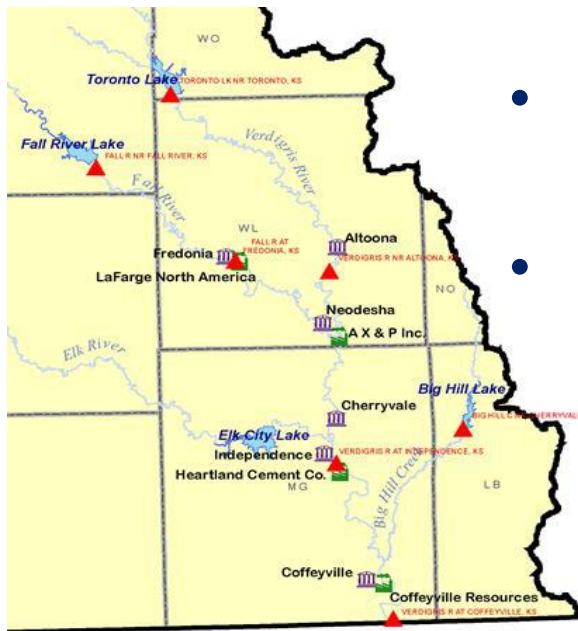
Bureau of Air

- Staff continues to focus on reducing the backlog of pending air program construction permits – over 300 were issued in calendar year 2016
- 148 operating permits were issued in CY 2016
- Without the need to focus on Clean Power Plan issues staff were able to reduce the backlog on Class 1 permit applications by nearly 30 percent

Bureau of Water: Neodesha Chemical Fire Response



- 11/22/16 – Explosion and Chemical Fire at Airosol, Inc.
- Fire runoff contained 13 Volatile Organic Compounds which entered the Fall River above the City of Neodesha’s River Intake (Ethylene Glycol, Acetone).
- Within 2 hours the City of Neodesha’s Water Supply was exhausted.
- Response – Develop and Implement a monitoring strategy, contain runoff, estimate plume arrival at downstream PWS, upstream releases to dilute contaminants, identify alternative water sources



Bureau of Water: Ammonia Variance for Multiple Discharging Lagoons

- ◆ 2013, EPA Adopted Ammonia Numeric Criteria considering toxicity to Mussels and Snails commonly found in the eastern portions of Kansas.
- ◆ Kansas Reg Variance: Language allows for individual or multiple dischargers to have alternative criteria, if:
 - Existing facility cannot meet new limits, and
 - Local financial capability is too marginal to support a Biological Nutrient Removal (BNR) plant



Pondhorn



- Prevailing rationale for a variance: “Controls more stringent than those required by sections 301(b) and 306 of the Clean Water Act would result in substantial and widespread economic and social impact”
- Variance is no bargain – essentially no growth in population or industry foreseen in next 20 years

2016 Year in Review

Division of Environment Accomplishments:

Bureau of Waste Management

- Drafted updated Medical Waste Regulations – working with a group of medical waste stakeholders and our Division of Public Health. Final adoption late 2017
- Expanded role in RCRA Corrective Action – authorized in 2013, facilities that were previously working with EPA are transferring to KDHE and we are assuming oversight responsibilities

2016 Year in Review

Division of Environment Accomplishments:

Bureau of Environmental Remediation

- 2016 Kansas Legislature passed the Contaminated Property Act which became effective on July 1. The Act was designed to help redevelopment at contaminated properties. A Certificate of Environmental Liability Release (CELR) allows a prospective or innocent purchaser to purchase contaminated properties without becoming liable for that contamination. KDHE issued 28 CELRs in the first six months of this program

Our Mission: To protect and improve the health and environment of all Kansans.



2016 Year in Review

Division of Environment Accomplishments:

Bureau of Environmental Remediation

- KDHE, Kansas Department of Emergency Management, and Kansas Corporation Commission developed a WebEOC spills database that supports the Kansas One-Call initiative for spills and hazards reporting. By using this reporting system the responsible party no longer needs to make multiple notifications

Ongoing Concerns

Staffing and budget expected to remain relatively steady in 2018

Retirements of key personnel - Many key staff are eligible for retirement. Overall, 40% of Division of Environment staff are eligible to retire now or will be eligible to retire within the next five years.

Program breakdowns:

Air – 35%

Water – 41%

Waste – 49%

Remediation – 43%

Field Svcs – 54%

Labs – 12%

Our Mission: To protect and improve the health and environment of all Kansans.



2017 Legislative Initiatives

KDHE Division of Environment did not advance any new legislative initiatives this year!

Focus is on overall state budget and how to address increase state revenues

Long 2017 Legislative Session?

Our Mission: To protect and improve the health and environment of all Kansans.



Questions



Our Mission: To protect and improve the health and environment of all Kansans.





www.kdheks.gov

Our Mission: To protect and improve the health and environment of all Kansans.