



2017

Kansas Environment Update

John Mitchell, Division Director

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



Division Organization

- Deputy Secretary for Environment – Gary Mason – has left state service
- Environment Division Director – John Mitchell
- Five bureaus and KHEL
 - Bureau of Air (Rick Brunetti)
 - Bureau of Water (Jaime Gaggero)
 - Bureau of Waste Management (Bill Bider)
 - Bureau of Environmental Remediation (Leo Henning)
 - Bureau of Environmental Field Services (John Mitchell)
 - Kansas Health and Environmental Laboratory (Myron Gunsalus)

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Division Budget

- FY2018 budget totals \$66,667,623
- Funding sources:
 - State General Fund \$3.9 million 6.4%
 - State Water Plan \$1.6 million 2.6%
 - Fee Funds \$16.5 million 27.2%
 - Federal Funds \$17.2 million 28.3%
 - Agency and Trusts \$21.5 million 35.4%

 - Indirects and Transfers \$6.0 million

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2017 Legislation

- DOE did not propose any legislative initiatives during the 2017 legislative session.
- Much legislative focus was given to funding components of the governor's 50 year water vision.
- There was considerable recognition of the need for funding.
- Consensus could not be reached on how to fund the various components.
- Nevertheless, many newer legislators saw this as an opportunity to learn about water related needs in the state.



Overall Challenges

- Staffing – the greatest challenge continues to be filling vacancies and facing high level of retirements over the next several years
- Potential reductions in federal funding – Much has been said in the press about possible reductions in federal environmental program elimination and reductions in federal grant support.



Bureau of Air

- **Hot Topic:**
- Flint Hills burn season – 2.4 million acres burned (2.7 million is average over 20 years. PM 2.5 violations of NAAQS in Omaha and Lincoln. Working with partners to try and lessen impacts
- **2017 Achievements:**
- Kansas meets all NAAQS with exception of the small lead non-attainment area in Salina.
- All air program documents have been scanned for easier storage and ease of sharing with sources and public
- **Looking forward:**
- Working to reduce lead emissions to allow entire State to be in attainment

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Bureau of Water

- **FY 2017 Achievements:**
- The Public Water Supply Section initiated the Area Wide Optimization Program (AWOP) to assist water systems toward optimizing their existing water treatment processes in an effort to increase public health protection. KDHE initiated its AWOP program in 2016 and has further strengthened its program in 2017 by completing two Comprehensive Performance Evaluations at cooperating water systems. Kansas is now an active participant in the Region 6/7 AWOP network.

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Bureau of Water

- The Livestock Waste Management Section revised the permit application and engineering plan review process and created engineering training materials. The review process was streamlined and made consistent among engineering staff. Engineering training materials were created for use by new and existing staff to expedite the training process, address knowledge gaps, and for the consistent application of program requirements.
- Kansas Water Pollution Control Revolving Loan Fund continued to provide low interest loans to publicly owned wastewater systems. Highlights include:
 - Executed 14 new loan agreements for a total of \$58.2M (includes large loans to Emporia for \$28.0M and Lyndon for \$9.8M).
 - Loaned \$29.15 M to small systems (<5,000 population).

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Bureau of Water

- **Looking Forward:**
- Bureau of Water will continue efforts to obtain an EPA Network Exchange Grant to offset costs associated with Phase II of the National Pollution Discharge Elimination System Electronic Reporting Rule. By 2020, over 7300 permitted facilities in Kansas will be required to submit permit applications, all program reports and events for the following regulated sectors: Industrial wastewater facilities, Municipal wastewater facilities, Stormwater including construction, municipal (MS4) and industrial, Pretreatment and Confined Animal Feeding Operations.
- Continued emphasis on Emergency Preparedness and Planning for Drinking Water and Wastewater Facilities in Kansas.

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Bureau of Waste Management

- **Hot Topic:**
- BWM continues to accept additional RCRA Corrective Action (CA) facilities from the U.S. EPA as part of the transition of CA from EPA to KDHE.

- **2017 Achievements:**
- BWM completed the transition of the solid waste facilities database from an old system to a new system called nForce. NForce provides better public access to data including a mapping feature. BWM intends to expand this system to include hazardous waste facility data.

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Bureau of Waste Management

- BWM developed and implemented two tools to help haz waste generators comply with applicable requirements:
 - A specially designed “app” to assist in making haz waste determinations; and
 - A special compliance calendar that provides regulatory information, prompts required actions, and facilitates required recordkeeping. Both tools should minimize enforcement actions.
- **Looking forward:**
- BWM will continue to move forward with an application to receive U.S. EPA approval to administer the coal combustion residuals (CCR) permitting program. State regs are being developed to provide regulatory flexibility .



Bureau of Environmental Remediation

- **Hot Topic:**

BER continues to discover sites that have impacted drinking water wells. The Dry Cleaner Remediation and Orphan Sites Programs performed time-critical responses to several sites with known environmental contamination. These include:

2014 – Wichita – 200 properties were connected to the city public water supply;

2016 – Manhattan – 3 properties are pending final connection to the city PWS;

2016 – Wichita – 33 properties were connected to the city PWS;

2017 – Derby – 33 properties were connected to SG RWD 3;

2017 – Haysville – just discovered, 3 properties impacted so far, still under investigation.



Bureau of Environmental Remediation

- **FY 2017 Achievements:**
- The Kansas Brownfields Program assessed 76 underutilized, vacant, and/or abandoned properties totaling 581 acres. Following assessment, 283 acres were approved for economic redevelopment.
- The Storage Tank Section developed and implemented a revised site priority ranking system. Due to the potential of vapor intrusion, fire, and explosion at petroleum contaminated sites, staff determined modification of the ranking system was necessary to ensure that site priority sites be reviewed and remedial actions considered promptly.

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Bureau of Environmental Remediation

- **Looking forward:**
- BER will be evaluating the current spill regulations and assembling a stakeholder group to provide input for revised regulations. The current spill regulations have not been updated for 31 years and the need for update has become apparent. Currently BER is gathering data on spill reporting requirements from other states and state agencies. A kickoff meeting is tentatively being planned for October 2017.

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