AGENCY PROGRAM DESCRIPTIONS

Bureau of Air: Bureau of Air			
Subprogram History			
In 1985, the Kansas Legislature created the Kansas Asbestos Act to protect citizens and asbestos workers from exposure to this hazardous air pollutant. The Federal Government implemented the Clean Air Act in 1993 and Kansas implemented the Kansas Air Quality Act in 1993.			
Consequences of Not Funding This Subprogram			
Air program would be implemented by the Environmental Protection Agency in Kansas.			
Statutory Basis			
KSA 65-3005, 65-3024.			
Mandatory/Discretionary	**MOE/Match Requirement**	**Program Priority**	**Subprogram Priority**
Mandatory	Yes	1	1

Bureau of Environmental Remediation: Bureau of Environmental Remediation			
Subprogram History			
Current configuration of the bureau was formed in response to the passage of the federal Comprehensive Environmental Response, Compensation and Liability Act (Superfund).			
Consequences of Not Funding This Subprogram			
Contaminated sites or permitted facilities will have or potentially have uncontrolled release of petroleum or hazardous chemicals causing harm to human health and the environment. Increase of human exposure to hazardous materials, petroleum substances and other toxic materials. More involvement of the US Environmental Protection Agency in Kansas.			
Statutory Basis			
Environmental assessment, response and cleanup: KSA 65-161; 65-171; 65-3453 to 65-3457; 65-34,141 et seq.; 65-34,161 et seq.; 82a-901 et seq.; 42 USC Chapter 103. Petroleum Storage Tank: KSA 65-34,100 to 65-34,139; 40 USC Chapter 1. Environmental Stewardship and Redevelopment: KSA 65-1,221 et seq.; 65-34,176 et seq.; 65-34,177 et seq.; 75-5672. Small Business Liability Relief and Brownfields Revitalization Act - Public Law 107-118 which amends CERCLA. Surface Mining: KSA 49-401 to 49-433; 30 USC Part 700 et seq.			
Mandatory/Discretionary	**MOE/Match Requirement**	**Program Priority**	**Subprogram Priority**
Mandatory	Yes	1	1

Bureau of Waste Management: Bureau of Waste Management			
Subprogram History			
The KDHE is the only state agency to implement the solid and hazardous waste programs authorized by the statutes referenced above. The Kansas Solid Waste Management Act was adopted in 1970. Key revisions occurred when KDHE sought approval from the United States Environmental Protection Agency to administer federal solid waste rules promulgated under the Resource Conservation and Recovery Act (RCRA) in 1993,1996 and 2009. The Solid Waste Program regulates solid waste disposal areas and processing facilities and waste tire handling; offers compliance assistance to regulated entities, and; provides financial support and grants to local entities. The Hazardous Waste Management Act was adopted in 1981. Key revisions occurred when KDHE sought approval to administer federal rules in 1985 and 2013. Under the hazardous waste program KDHE regulates generators of hazarous waste and permits facilities that treat, store and/or dispose hazardous waste t ensure proper cradle-to-grave management.			
Consequences of Not Funding This Subprogram			
The Bureau of Waste Management implements all regulations for solid waste disposal areas and processing facilities, waste tire management, hazardous waste generators and transporters, and hazardous waste treatment, storage and disposal facilities in Kansas. Failure to fund the program would result in no regulatory oversight of solid and hazardous waste management activities in Kansas causing public health and environmental impacts including: illegal dumping; surface and groundwater contamination, and; public safety and nuisance conditions like fires, odors, litter and disease vectors. EPA would implement the hazardous waste programs in Kansas, and KDHE would forfeit about $1.1 million annually in federal hazardous waste program funding.			
Statutory Basis			
KSA 65-3401 et seq. KSA 65-3430 et seq.			
Mandatory/Discretionary	**MOE/Match Requirement**	**Program Priority**	**Subprogram Priority**
Mandatory	Yes	1	1

Bureau of Water: Bureau of Water

Subprogram History

The origins of the Bureau of Water began in 1885 when the first rules and regulations pertaining to protecting water supplies were adopted by the Ks Board of Health (now KDHE). In 1907, the first statute prohibiting unpermitted sewage from entering waters of the state was approved and in 1927 the Kansas Board of Health was charged with preventing pollution found to be a public health or aquatic life threat. In 1933, the Legislature established laws pertaining to pollution prevention from livestock facilities. In 1972 the Federal Water Pollution Control Act was passed by Congress and in 1974 Congress approved the Safe Drinking Water Act. The Kansas Legislature responded in 1974 by creating the Kansas Department of Health and Environment as a cabinet-level agency to implement the two Federal laws as well as the accompanying state statutes.

Consequences of Not Funding This Subprogram

Implementation of the Safe Drinking Water Act would revert to the Environmental Protection Agency. KDHE's technical assistance and training would be eliminated. Kansas would lose $1.1m annually through the Public Water Supply Supervision Grant, and would lose $8.3-$16.6m annually from the Capitalization Grant which supports the Drinking Water State Revolving Fund. Public health and the environment could be jeopardized by improperly operated and maintained water supply and water pollution facilities. Implementation of the Clean Water Act would also return to the Environmental Protection Agency, including enforcement which would be a burden on our towns and industry . Most wastewater systems would suffer from lack of training and technical assistance. Approximately six millions dollars annually of federal funding would be lost. Program elimination also eliminates the state's ability to protect water supplies for municipalities, industries, livestock and irrigation and reduce pollutant loadings crossing statelines.

Statutory Basis

KSA 65-163 et seq KSA 65-171d et seq KSA 65-171m, KSA 55-1117, KSA 82a-1201, et seq.

Mandatory/Discretionary	MOE/Match Requirement	Program Priority	Subprogram Priority
Mandatory	Yes	1	1

Environmental Field Services: Environmental Field Services

Subprogram History

In SFY 2018, the program was re-aligned to include the Livestock Waste Section and the Watershed Management Section, which allows field based programs to better work together. Total budget for this program includes significant amount of funding (state and federal) that is passed through as aid to locals.

Consequences of Not Funding This Subprogram

Implementation of all environmental programs would revert to the Environmental Protection Agency and funds for aid to locals would be curtailed.

Statutory Basis

Statutory mandates as required of the four other Division of Environment programs (Air, Water, Waste Management, Environmental Remediation). KSA 65-166a; KSA 65-171d; KSA 65-1,179-1,199; KSA 65-171g-h; 33 USC 319, 401, 404.

Mandatory/Discretionary	MOE/Match Requirement	Program Priority	Subprogram Priority
Mandatory	Yes	1	1

Office of Laboratory Services (Kansas Health and Environment Laboratories): Office of Laboratory Services (Kansas Health and Environment Laboratories)
Subprogram History
History: The first biological and chemical analyses for Public Health and Protection were performed in 1886 at the Kansas Board of Health. In 1907, the Environmental Microbiology laboratory began analyzing water and wastewater for public health as a part of the Division of Sanitation. This was the first lab that would become what is now Kansas Health and Environmental Laboratories (KHEL). When the Kansas Department of Health and Environment was established by legislative action in 1974, the combined health and environmental laboratory was located in the Forbes Field complex. Named in statutes as the Office of Laboratory Services, the Division of Health and Environmental Laboratories became part of the Division of Environment in FY 2007. The total funding shown for the program in FY 2020 through FY 2023 represents COVID funding to support not only the laboratory operations but many supplies and equipment provided to partners throughout the state to fight the COVID 19 Pandemic.
Consequences of Not Funding This Subprogram
Infants could go undiagnosed and experience permanent or life threatening disorders. The public would have greater exposure to viruses and diseases. Outbreaks could go undetected due to no investigative testing capacity. Increase risk and cost to Kansans due to poor water quality and decreased monitoring. Public Water Suppliers would have to find outside laboratories to perform testing and Kansas would have to contract with and designate a Primacy Laboratory or else have the program taken over by EPA. EPA would take over drinking water program, Clinical Testing Labs would not be evaluated for accurate performance, intoxicated drivers would remain on the highways.
Statutory Basis
KSA 75-5608 KSA 2000 Supp 65-153f; KSA 65-674; 65-677; KSA 2000 Supp 65-180 KSA 65-157; KSA 48-1601 et.seq, Safe Drinking Water Act Primacy Laboratory KSA 65-101, 109a; KSA 65-1,109; KSA 65-1,,425.

Mandatory/Discretionary	MOE/Match Requirement	Program Priority	Subprogram Priority
Mandatory	No	1	1

Subprograms Without Narrative Data

AGENCY PERFORMANCE MEASURES

			2022 Actuals	2023 Actuals	2024 Actuals	2025 Actuals	2026 Estimate	2027 Estimate
Bureau of Air: Bureau of Air								
Goal	**Type**	**Measure**						
Conduct air quality compliance inspections.	Outcome	Number of air quality inspections conducted	546	740	824	819	875	850
	Output	Compliance rate for facilities inspected (See Footnote 1)	100.00%	100.00%	100.00%	100.00%	99.40%	99.40%

			2022 Actuals	2023 Actuals	2024 Actuals	2025 Actuals	2026 Estimate	2027 Estimate
Meet all National Ambient Air Quality Standards (NAAQS).	Outcome	Number of Counties in compliance with all NAAQS	105	105	105	Duplicative--no longer needed		
	Output	Percentage of Counties in compliance with all NAAQS	100.00%	100.00%	100.00%	98.00%	98.00%	98.00%
Bureau of Environmental Remediation: Bureau of Environmental Remediation								
Goal	**Type**	**Measure**						
Improve environmental health conditions for Kansans through contaminated site assessment, response and cleanup.	Output	Number of sites with active environmental assessment/cleanup (used to calculate Outcome Number3)	2,060	2,050	2,765	2,691	2,700	2,700
Maximize pollution prevention measures to prevent release of stored chemicals.	Outcome	Number of regulated facilities where pollution prevention measures are in place to prevent future contamination and impacts to human health and the environment. (Storage Tank, Dry Cleaners and Coal)	14,951	11,135	5,415	5,292	5,300	5,300
	Output	Number of Aboveground storage tanks registered	9,380	9,448	9,492	10,640	10,640	10,640
		Number of Coal mines permitted	1	0	0	0	0	0
		Number of Dry Cleaner Facilities registered	60	62	43	36	35	34
		Number of Underground storage tanks permitted	5,300	5,685	5,566	5,526	5,530	5,530
Promote redevelopment of contaminated properties to allow beneficial use of dilapidated or impacted properties.	Outcome	Number of acres available for new redevelopment and improvement of contaminated and potentially contaminated properties. (CELR, Brownfield, Storage Tanks)	460	467	632	227	300	300

			2022 Actuals	2023 Actuals	2024 Actuals	2025 Actuals	2026 Estimate	2027 Estimate
Promote redevelopment of contaminated properties to allow beneficial use of dilapidated or impacted properties.	Output	Number of Brownfields Targeted Assessments completed for local government and non-profit organizations/ year	45	57	47	36	45	45
		Number of CELR's issued per year	46	45	40	41	30	30
		Number of facilities with UST tank removals in the redevelopment program: Abandoned tank removal	3	21	1	8	8	8
		Number of facilities with UST tank upgrades: Single-wall to double-wall program	1	1	6	12	14	16
Bureau of Waste Management: Bureau of Waste Management								
Goal	**Type**	**Measure**						
Maintain a compliance rate of 90% or higher among permitted solid waste facilities and hazardous waste generators by conducting routine inspections and providing compliance assistance and operator training.	Outcome	Percent of facilities in compliance	99.00%	100.00%	96.00%	99.00%	99.00%	99.00%
	Output	Inspection reports reviewed for potential enforcement due to non-compliance	509	576	206	678	500	500
Oversee the regulation of all hazardous and solid waste facilities in Kansas in accordance with the authorizing statutes. The unit cost was estimated by dividing the total number of facilities subject to regulations by the total program funding budgeted for each state fiscal year.	Outcome	Cost of regulatory oversight per regulated facility	$2,438.00	$2,831.00	$2,929.00	$3,134.00	$3,400.00	$3,600.00
	Output	Total number of solid and hazardous waste facilities regulated	2,598	2,477	2,404	2,483	2,450	2.45

			2022 Actuals	2023 Actuals	2024 Actuals	2025 Actuals	2026 Estimate	2027 Estimate
Review active and closed solid waste landfill groundwater monitoring reports in a timely manner in order to coordinate response actions at landfills where off-site groundwater contamination is detected above the regulatory limit.	Outcome	Number of landfills where offsite groundwater contaminant levels exceed the regulatory standard	17	17	17	6	6	6
	Output	Landfill groundwater monitoring reports reviewed	190	147	150	102	110	110
Bureau of Water: Bureau of Water								
Goal	**Type**	**Measure**						
Monitor water quality of Kansas waters to assist in development of water quality standards and total maximum daily loads (TMDLs) and to track environmental changes for water quality improvement.	Outcome	Number of Water Bodies Restored	278	278	282	282	282	282
	Output	Number of Monitoring Sites	392	311	344	380	370	370
Oversight of public water supply systems, wastewater and stormwater facilities, underground injection control (UIC) wells, and underground hydrocarbon storage (UHS) wells with regards to standards, regulations, and technical assistance (979 public water supply systems, 1853 wastewater facilities, and 3404 stormwater facilities, 73 UIC wells, and 368 UHS wells for a total of 6,677).	Output	Number of Wastewater Permits Issued	257	301	405	407	400	400

			2022 Actuals	2023 Actuals	2024 Actuals	2025 Actuals	2026 Estimate	2027 Estimate
Provide subsidized financing (low interest loans) for municipal water infrastructure projects through the Kansas State Revolving Fund Programs to return and maintain municipal water and wastewater systems into compliance.	Outcome	Percent of Water Systems in Compliance	93.00%	79.00%	95.00%	91.90%	93.00%	93.00%
	Output	Number of New SRF Loans	34	39	40	45	30	25
Environmental Field Services: Environmental Field Services								
Goal	**Type**	**Measure**						
	Output	Average cost per CAFO permit (dollars per number of permits)	$312.81	$352.05	$343.84	$362.53	$355.00	$355.00
Conduct compliance inspections/complaint investigations/spill responses.	Output	Compliance inspections, complaint investigations, and spill response completed	4,745	4,348	5,186	4,503	4,400	4,400
Issue permits for confined animal feeding operations.	Outcome	Percentage of current National Pollution Discharge Elimination System permit coverage to confined animal feeding operations of 1,000 animal units or more	95.00%	95.00%	94.00%	97.00%	95.00%	95.00%
	Output	CAFO permits active	3,192	3,196	3,246	3,217	3,224	3,225
Reduce non-point source pollution.	Outcome	Dollars per pound of nitrogen reduced from surface water	$6.81	$9.08	$9.21	$11.72	$10.00	$9.75
	Output	Number of Watershed Restoration and Protection Strategy projects established	31	32	34	34	34	34

Footnotes

- Footnote 1: Estimates reflect minimum estimated value.