

Kansas Environmental News



Summer 2004



Secretary's Corner

As we approach the hotter months of summer, we can expect to see and hear more about ozone alert days. This is particularly of concern in the Kansas City area where air quality is being watched very closely. There are many things we can do to assist with improving our air quality, especially on extremely hot days. These include car pooling, and refueling your car only at dawn or dusk, as well as mowing your lawn at a cooler time of day. These activities may not seem like a lot, but they can certainly make a difference.

This year Kansas was one of only 19 states that met the national standards for air quality, but a slight increase in air pollution during the summer could change our status next year. Earlier this year, KDHE's Bureau of Air staff notified fire departments throughout the state regarding new recommendations for burning prairie land. These included only allowing burning in one area within a 160 square mile radius on any given day, spreading out the fires over several months, and encouraging burning of large tracts to occur during daytime hours when meteorological conditions allow for greater dispersion of air pollutants.

With the beginning of West Nile season expected in Kansas very soon, KDHE recommends getting rid of standing stagnant water around your home, and that includes old tires or other items that easily collect rain water. Tires are the perfect breeding grounds for mosquitoes and lead to an increased risk for people living in the area. Remove these items from around your home and if you see abandoned waste or illegal dump sites, contact your city or county or the state's illegal dumping program. This program

has been instrumental in cleaning up many sites around the state, not only reducing the breeding grounds of mosquitoes that carry West Nile Virus, but also making our state a more beautiful place to live.

KDHE's Bureau of Waste Management recently received 59 applications for grants in the solid waste recycling and composting grant program. Applicants requested a total of \$6 million in grant funding from an available source of \$1 million. Therefore, the Governor's Solid Waste Grants Advisory Committee has a big job ahead as it reviews the applications in mid-July and makes recommendations for awards to the Secretary of KDHE. The grant funds are generated from a \$1 per ton landfill tipping fee which also provides revenue for all state solid waste programs.

In a recent awards ceremony, the United States Environmental Protection Agency (EPA) recognized KDHE for outstanding contributions to the joint negotiation and settlement of petro-

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leum refining cases. The Region VII EPA Partnership Award recognized the accomplishments of: William L. Anderson, Yvonne C. Anderson, Mindy G. Bowman, Brian L. Busby, Victor L. Cooper, Ronald F. Hammerschmidt, PhD, Mostafa Kamal, and David A. Peter. Congratulations to these individuals for a job well done!

Be well,

Rod

Kansas Meth Watch Program Workshop Presented to 23 States

The Kansas Meth Watch Program has become the model for meth prevention programs for retailers in many states. The Consumer Healthcare Products Association (CHPA) is expanding what KDHE has accomplished to develop a national Meth Watch Program. CHPA is producing a non-state specific training video, developing a national Meth Watch Web site, and providing training opportunities and resources to states interested in implementing the Kansas Meth Watch Program. With the help of KDHE and Prevention and Recovery Services (PARS) of Topeka, CHPA has organized a national Meth Watch Training Workshop to introduce other states to the program. KDHE and PARS will assist CHPA in presenting the workshop to be held in Washington, DC.

Presently CHPA is paying travel costs for representatives from 23 states interested in implementing Meth Watch Programs. A partial list of states confirmed to attend include the following: IA, IL, NC, TN, AL, CA, MO, MI, GA, WV, MN, IN, AR, CO, UT, AZ, and SC.

Attendees to the conference will include state teams that represent law enforcement, retailers, health departments, prevention professionals and community leaders. KDHE staff assisting with the training will present the history, background and process Kansas went through to develop the Meth Watch Program and its current administrative methods. Follow up breakout group discussions will provide attendees the opportunity to exchange ideas on program implementation, future improvements, and nationwide cooperative efforts.

TJ Ciaffone, Bureau of Environmental Remediation

US EPA Recognizes KDHE in Awards Ceremony

The United States Environmental Protection Agency (EPA) recognized the Kansas Department of Health and Environment (KDHE) in an awards ceremony on May 27. The EPA Region VII Let Freedom Ring Recognition Ceremony was held at the Reardon Civic Center in Kansas City, Kansas. The Region VII EPA Partnership Award was presented to KDHE in recognition of outstanding contributions to the joint negotiation and settlement of petroleum refining cases. The following KDHE staff were recognized: William L. Anderson, Yvonne C. Anderson, Mindy G. Bowman, Brian L. Busby, Victor L. Cooper, Ronald F. Hammerschmidt, PhD, Mostafa Kamal, and David A. Peter.



Pictured in the photograph (left to right): Bill Rice (Region VII Deputy Administrator of EPA), David Peter, Mostafa Kamal, Dr. Ron Hammerschmidt (Director, KDHE Division of Environment), Victor Cooper, Brian Busby, Mindy Bowman, Jim Guilliford (Region VII Administrator of EPA).

KDHE REGULATIONS IN PROCESS

update 07/13/04

REGULATION	DIV. DRAFT	EPA REVIEW	DOA REVIEW	AG REVIEW	PUBLIC HEARING	EFFECTIVE
<u>Waste Management</u>						
SW Planning(A)	6/03	N/A	9/03	*10/03	1/04	3/04
Haz. Waste Monitoring Fee	*3/04		4/04	5/04	7/04	*9/04
Tires	10/03		*6/04	*8/04	*10/04	*12/04
Hazardous Waste Update (A)	*8/04	*9/04	*9/04	*12/04	*2/05	*4/05
<u>Air and Radiation</u>						
AcidRainPermits(A)	*8/04		*8/04	*9/04	*12/04	*1/05
Acid Rain NOx(N)	*8/04		*8/04	*9/04	*12/04	*1/05
UpdateStds(NSPS,MA)	3/04		6/04	*7/04	*10/04	*11/04
Consolidated Air Rule (N)	3/04		6/04	*7/04	*10/04	*11/04
Definitions (A)	*8/04		6/04	*9/04	*12/04	*1/05
Inventory Report Regs	6/04		7/04	8/04	*11/04	*12/04
Transportation Conformity (A)	7/04		7/04	*8/04	*11/04	*12/04
Permitting Rules (A)	6/04		*7/04	*8/04	*11/04	*12/04
Fugitive Dust Rule (N)	7/04		7/04	*8/04	*11/04	*12/04
<u>Water</u>						
Surface WQS	5/04	*12/04	6/04	*6/04	*8/04	*10/04
Surface WQS (UAAs)	9/03	*1/04	9/03	9/03	12/1-2/03	1/04
<u>Public Water Supply</u>						
Lead Copper Minor Revisions(N)	3/03	3/03	3/04	4/04	*7/04	*9/04
Consumer Confidence Report(N)	3/03	3/03	3/04	4/04	*7/04	*9/04
Public Notification(N)	3/03	3/03	3/04	4/04	*7/04	*9/04
IESWTR(N)	3/03	3/03	3/04	4/04	*7/04	*9/04
Stage 1 DDBP(N)	3/03	3/03	3/04	4/04	*7/04	*9/04
LT1(N)	3/03	3/03	3/04	4/04	*7/04	*9/04
Filter Backwash Recycling Rule(N)	3/03	3/03	3/04	4/04	*7/04	*9/04
Radionuclide Rule(N)	3/03	3/03	3/04	4/04	*7/04	*9/04
Arsenic Rule(N)	3/03	3/03	3/04	4/04	*7/04	*9/04
Permits		3/03	3/04	4/04	*7/04	*9/04
28-15-11,13,14,15a,20,21,22(R)	3/03	3/03	3/04	4/04	*7/04	*9/04
<u>Geology</u>						
Water Well (GMD #2)	2/04	N/A	*7/04	*8/04	*9/04	*11/04
<u>Livestock Waste Management</u>						
Groundwater	12/03	N/A	6/04	*8/04	*11/04	*1/05
<u>Environmental Remediation</u>						
Surface Mining	9/03	N/A	*6/04			
Env. Use Control	6/04	N/A				

New(N), Amended(A), Revoked(R)

*denotes projected date

Hazardous Waste Combustion in Kansas

For decades, Kansas has been in the forefront of the hazardous waste combustion scene. Kansas was home to the only commercial dioxin incinerator in the nation until its closure in 1999. Kansas issued the first hazardous waste permit to a cement kiln burning hazardous waste in 1996. And in 2001, Kansas became the first state to implement the new Clean Air Act rules for hazardous waste combustion facilities. Over 240 million pounds of hazardous waste were incinerated or burned for energy recovery in Kansas in 2003. This represents a decrease from 1998, when more than 320 million pounds were incinerated. The change is largely due to the closure of several combustion facilities.

Improper disposal of hazardous waste is dangerous to human health and the environment. Combustion is usually considered the best disposal option for toxic and combustible hazardous waste because it alleviates long-term storage concerns and reduces waste volume up to 90 percent. Flammable hazardous waste is also burned for its heat content. For example, cement kilns burn waste to produce the clinker that makes cement and boilers burn waste to make steam.

Kansas currently has four hazardous waste combustion facilities. Two are hazardous waste burning cement kilns: Ash Grove Cement in Chanute and Lafarge Midwest in Fredonia. A third kiln, Heartland Cement in Independence, stopped burning hazardous waste in 1999. Currently Kansas' only hazardous waste incinerator is located at the Kansas Army Ammunition Plant in Parsons. The incinerator is designed to treat a variety of outdated and unserviceable small ammunitions and explosives. Air Products in Haysville operates a steam boiler that burns waste produced on-site.

The Kansas hazardous waste program regulates facilities that store, treat or dispose of hazardous waste. Until 1999, the primary rules governing the burning of hazardous waste were the boiler and industrial furnace regulations and the incinerator regulations in the Resource Conservation and Recovery Act (RCRA). In 1999, the EPA promulgated new regulations for emissions from

hazardous waste combustion facilities under the Clean Air Act. These rules require combustion facilities to use the best-demonstrated control technology or practices, known as the Maximum Achievable Control Technology, to lower emissions. The new standards may compel hazardous waste combustion facilities to install new pollution control equipment and upgrade monitoring of combustion and emission parameters. To ensure a smooth transition from RCRA to the Clean Air Act rules, the Kansas hazardous waste program, the Kansas air program and the EPA decided that the Kansas hazardous waste program will have the primary responsibility for these new rules. For more information on hazardous waste combustion facilities, please contact Shawn Howell at (785) 296-6562 or showell@kdhe.state.ks.us.

Shawn Howell, Bureau of Waste Management

Don't Miss the 2004 Kansas Environment Conference!

The Kansas Department of Health and Environment (KDHE) will host its annual environment conference on August 31 - September 2, at the Doubletree Hotel in Overland Park, Kansas. The conference will feature programs for businesses, community leaders, consultants, attorneys, and others interested in the environment. The annual pollution prevention awards will be presented at the awards luncheon on Wednesday, September 1.

Throughout the day-and-a-half conference, 28 concurrent sessions will be offered. Some of the topics to be presented include environmental issues for cities and counties, Brownfields redevelopment, P2 case studies, environmental law, air permit and compliance issues, water conservation, and many others.

The conference registration fee is \$110 if you register by August 25 (limited late and onsite registration will be available for \$130). The conference agenda and registration information is available at http://www.kdhe.state.ks.us/sbcs/environment_conf.html. For more information, contact Cathy Colglazier at (800) 357-6087.

Source Water Assessment Reports Are Now Available

In accordance with the 1996 amendments to the Safe Drinking Water Act, the Kansas Department of Health and Environment (KDHE) has fully implemented the Kansas Source Water Assessment Program. Under this program, local source water assessments were completed for all public water supplies that treat and distribute raw source water. The purpose of these assessments was to educate public water suppliers and their surrounding communities so they can make informed decisions and protect their local drinking water sources.

Final Source Water Assessment Reports are now available on the KDHE Watershed Management Section web page at <http://www.kdhe.state.ks.us/nps>. These reports include much information about potential sources of contamination, susceptibility, and recommended water quality protection measures. Over 400 Kansas communities and public water suppliers directly participated in the completion of these reports and should be commended for their efforts. The final Source Water Assessment Reports will serve as the corner stone for future voluntary wellhead and watershed protection planning efforts in Kansas. Additional information regarding source water protection can be obtained on the above-referenced web page.

Communities interested in source water protection planning should consider the following seven- step process:

Step 1: Inform and Involve the Public

Public involvement will also play an important role in the implementation of any successful source water protection plan. Many of the water quality protection measures identified throughout the protection planning process are voluntary and will require local support or “ownership” to be implemented. That is why it’s so important to inform and involve the public from the start of the source water protection process.

Step 2: Establish a Source Water Protection Committee

In many cases a local Source Water Protection Committee may already exist. KDHE encourages public water suppliers to work cooperatively with local elected officials, county conservation district staff, environmental groups, the general public, and stakeholders in water quality.

Step 3: Review the Source Water Assessment Report

The Source Water Assessment Report includes much information regarding the location of local public water supplies, potential sources of contamination, and recommended water quality protection measures. Much of the committees’ review will focus on the Susceptibility Analysis Score (SAS). The SAS helps communities determine which types of contaminants pose the most significant threat to their water supply.

Step 4: Verify the Pollutant Source Inventory

KDHE utilized various state and private sector databases to help inventory potential sources of contamination around local drinking water supplies; however the information provided may not be entirely complete. There may be additional potential sources of contamination present that were not identified during the SWAP process. KDHE suggests that a thorough field inventory be conducted in local source water assessment areas to help confirm existing SWAP inventory data and identify additional sources of contamination. Nonpoint sources of contamination (row crops, septic systems, small feed lots, etc.) are prevalent in Kansas and may not have been identified during the SWAP process. It is very important for local committees to identify

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non-point sources of contamination and help implement water quality protection measures or best management practices (BMPs) where needed.

Step 5: Select Water Quality Protection Measures

The local committee should work cooperatively to implement appropriate water quality protection measures for the most significant sources of contamination identified. For facilities regulated by KDHE or other agency, many water quality protection measures are mandated by law and regulations. Local committees may often focus on non-regulated potential sources of contamination identified during the SWAP process. The Source Water Assessment Report includes a generic list of water quality protection measures for many of the potential sources of contamination identified. KDHE recommends that local committees work cooperatively with local and State agencies to identify and implement appropriate water quality protection measures.

Step 6: Implementation Planning

The local committee should create an implementation plan for all water quality protection measures identified during this process. The plan should include appropriate funding resources, time schedule for implementation, and responsible parties.

Step 7: Emergency Water Supply Planning

The Source Water Protection Plan should also include actions to be taken during water emergencies. These emergencies may include extreme drought, contamination spills, etc. A boiler plate emergency water supply plan will be posted on the KDHE Watershed Management Section web page in the near future.

Rob Beilfuss, Bureau of Water

Coleman Lantern Mantle Manufacturing Facility Nearing Completion of Thorium Remediation

The Coleman Downtown Manufacturing Facility (CDMF) was established in 1909 and had been engaged in manufacturing thorium-coated

lantern mantles until the late 1980s. Through sub-contractors Coleman performed remediation of the facility with the goal to terminate the radioactive materials license and release the site for unrestricted use.

This project involved decontaminating the facility to releasable levels as demonstrated by surveys that met the requirements of the Site Remediation Plan (SRP). The SRP was developed using the guidelines established in the Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM). MARSSIM provides standardized and consistent approaches for planning, conducting, evaluating, and documenting environmental radiological surveys, with a specific focus on the final status surveys that are carried out to demonstrate compliance with cleanup regulations.

The following areas were remediated or demolished: four story office complex; southeast warehouse complex; on-site sewers were excavated and disposed; off-site sewers were decontaminated as necessary; other areas of soil contamination were excavated and disposed; east central warehouse was demolished and disposed; and, west warehouse and mantle production area were demolished and disposed

Initial site characterization and remediation began in 1991, under KDHE's oversight. Once the initial remediation was complete a determination was made in 1998, that additional characterization surveys and remediation would be required.

During the project KDHE Radiation Control Program (RCP) staff in cooperation with Bureau of Environmental Remediation and Bureau of Water staff monitored progress of the remediation. Upon completion of remediation phases Coleman contractors performed final status surveys in accordance with the SRP. KDHE RCP staff then conducted extensive confirmatory surveys to ensure the site met the release criteria. In addition to systematic surveys KDHE staff used the Spatial Analysis Data Assistance software to aide in identifying those areas where additional confirmatory surveys should be performed.

All remediation work is now complete and RCP staff is performing final reviews of the data before making a recommendation on license termination.

Tom Conley, Bureau of Air and Radiation

Brownfields in Kansas

Idle, abandoned, and underused properties are present in virtually every Kansas community. The historical uses of these properties often include commercial and industrial operations that have resulted in negative perceptions based on real or perceived environmental contamination. Without a means to address the negative stigma, such areas remain vacant or underutilized, regardless of location, existing infrastructure, or redevelopment potential. As a result, a "brownfield" is born.

The Kansas Department of Health and Environment (KDHE) Brownfields Program offers grants, low interest loans, and site assessment and technical services under a Cooperative Agreement with the USEPA. Site assessments, or Brownfields Targeted Assessments (BTAs), may be conducted for eligible parties by KDHE or a KDHE contractor at no costs to the BTA applicant. Grants and low interest loans are available to pursue any necessary cleanup efforts through a joint program effort with the KDHE Voluntary Cleanup and Property Redevelopment Program.

Brownfield properties often provide considerable redevelopment potential because of attractive locations and existing infrastructure. Locations with existing utility connections and highway, rail, and riverfront access significantly reduce transportation and construction costs. Cleanup and reuse of brownfields reduces health risks and urban sprawl, improves public perception, and creates jobs and tax revenue. Further, the funding and services available through USEPA and KDHE provides an excellent mechanism to address environmental liability and offset associated costs.

Brownfields redevelopment opportunities in Kansas are real. Since 1998, more than 60 BTAs have been conducted to facilitate real estate transactions and site redevelopment. Successful Kansas projects include:

Lewis and Clark Riverfront Park, Atchison, Kansas

KDHE conducted three BTAs of the site and assessment findings were used to leverage a \$200,000 USEPA Brownfields Assessment Grant. Site redevelopment planning is ongoing. The project has received more than \$240,000 in KDHE and USEPA contributions.

Heritage Court, Leavenworth, Kansas

KDHE assessment findings were used to conduct an expedited cleanup under the Voluntary Cleanup Program. Successful cleanup of the property resulted in ongoing redevelopment as the Carousel Museum. The project received both technical and financial contributions from KDHE. Project success also helped the City of Leavenworth obtain a \$100,000 USEPA Brownfields Assessment Grant to assess an adjacent property.

National Brownfields Workshop to be Held in St. Louis

Join more than 4,000 participants at the America's Center in historic St. Louis, MO, September 20-22 for the largest conference of its kind, *Brownfields 2004: Gateway to Revitalization*. This premier international event is the official, Environmental Protection Agency (EPA), and the International City/County Management Association (ICMA), cosponsored conference focused on redeveloping brownfield properties. Now in its ninth year, the conference brings together stakeholders from the private sector, government agencies, and nonprofit organizations for a full three days of educational sessions and networking. KDHE is pleased to be an official endorser for this national conference. Registration is **FREE** for this event and can be done online at www.brownfields2004.org

Bridget Wilson, Bureau of Environmental Remediation

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