

Winter/Spring
2010



Kansas Environmental News

Secretary's Corner

The Kansas Department of Health and Environment works everyday to fulfill its mission of protecting the health and environment for all Kansans by promoting responsible choices. As we enter a new year, our mission is no exception. Despite the troubling economy and program reductions that became necessary as a result of state budget projections, KDHE is committed to protecting and improving the public health and environment of Kansas.

Even though reductions were made to some of our programs in 2009, we accomplished several actions which had a positive affect on the Kansas environment. One of the accomplishments was the creation of a Bureau of Environmental Health in July 2009. This bureau will connect environmental issues and associated public health concerns through coordinated comprehensive surveillance and hazard exposure. The bureau combines the activities of the Healthy Homes and Lead Hazard Prevention Program and the Radiation and Asbestos Control Section and is the home of the newly established Environmental Public Health Tracking Program.

In September 2009, recycling took a front seat in the agency's first-ever Recycle Cycle. This was a Kansas border-to-border bike ride that highlighted recycling programs within the state and involved KDHE staff, local solid waste officials, state and local elected officials and area

riders. This was a 466-mile endeavor from Coolidge to Pittsburg, over a seven-day period. During their trek, stops were made in several communities to showcase local efforts to improve the environment and eliminate waste. Some of those featured efforts included a ribbon cutting of a new recycling center in Greensburg; the kick-off of a new e-waste recycling program developed in cooperation with Best Buy in Wichita and several other recycling center stops throughout the state.

The Recycle Cycle serves as a good reminder that recycling, reducing and reusing are things we all can do. Recycling not only saves energy, it also strengthens the economy and preserves natural resources for everyone.

Another example of how KDHE worked to improve the environment was the awarding of the Clean Diesel awards. KDHE received \$1.73 million from the U.S. Environmental Protection Agency (EPA) through the American Reinvestment and Recovery Act of 2009. KDHE distributed the funds through competitive awards to 13 local companies to reduce diesel emissions in Kansas communities, which in turn will have positive effects on public health.

As we continue moving further into 2010, the budget will likely continue to be a concern for us. Rest assured, we are committed to working together to move forward to protect and improve the public health and environment of Kansas.

Be Well,

Inside this issue:

Mandatory Reporting of Greenhouse Gases Rule.....	2
Taking CARE of Salina.....	2
KDHE Regulations in Process	3
K-State Pollution Prevention Institute Receives National Award	4
16th Annual WORKS! Conference to be Held in Junction City.....	4
Greenhouse Gas Tailoring Rule.....	5
KDHE to Develop Environmental Public Health Tracking System.....	6
EPA Approves Kansas to Implement Landfill RD&D Rule.....	6
Green Lodging Pilot Program	7

Mandatory Reporting of Greenhouse Gases Rule

by Melissa McDonald, KDHE Bureau of Air

In response to the FY2008 Consolidated Appropriations Act (H.R. 2764; Public Law 110–161), EPA issued the Final Mandatory Reporting of Greenhouse Gases Rule. The rule requires reporting of greenhouse gas (GHG) emissions from large sources and suppliers in the United States, and is intended to collect accurate and timely emissions data to inform future policy decisions.

Under the rule, suppliers of fossil fuels or industrial greenhouse gases, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more per year of GHG emissions are required to submit annual reports to EPA. The gases covered by the proposed rule are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), sulfur hexafluoride (SF₆), and other fluorinated gases including nitrogen trifluoride (NF₃) and hydrofluorinated ethers (HFE).

The final rule was published in the *Federal Register* on October 30, 2009 and became effective December 29, 2009. However, this rule only includes final reporting requirements for 31 of the 42 emission sources listed in the proposal, pending EPA's further consideration of comments and options.

Based on 2007 data, 80 existing Kansas facilities will be subject to the rule. The only emission source in the agriculture sector covered by the rule is manure management systems at livestock operations with GHG emissions that meet or exceed the threshold of 25,000 metric tons. EPA modeling estimates that nationwide approximately 100 manure management systems at large livestock operations meet this threshold. In Kansas, approximately 85 confined animal feeding operations will need to perform calculations to determine if they are subject to this new rule. Potentially, as many as 165 facilities in Kansas may be affected by the GHG Mandatory Reporting Rule.

Taking CARE of Salina

by Barb Johnson, K-State Pollution Prevention Institute

Kansas State University's Pollution Prevention Institute (PPI) and the Kansas community PRIDE program received a two-year cooperative grant to assess the health of Salina's citizens and the local environment through EPA's Community Action for a Renewed Environment (CARE) program. The main reason Salina was one of 13 communities funded nationwide is the strong Salina CARE partnership of state and local organizations. CARE partners include the City of Salina, Salina-Saline County Health Department, Friends of the River, The Land Institute, Smoky Hill Audubon Society, Schwan's Food Manufacturing, Unitarian Universalist Fellowship, Saline County Extension Office, K-State Salina, League of Women Voters of Salina and many others.

Jason Gage, Salina city manager, said "Salina, like most communities, has its share of environmental challenges. Being good stewards of our natural resources is an important goal for the city. This grant gives us the opportunity to take a big step in that direction."

In the first year of the project, an environmental health concern list was developed. The list was derived through partner meetings and public outreach at the Salina River Festival, the Stiefel Theater and the Central mall. Approximately 60 items were identified and grouped into four categories -- healthy homes, water, waste and air. Four action teams were formed to work on the issues. In the second year of the project, action teams explored the environmental concerns in each of the categories, prepared fact sheets, and developed a "wish list" of solutions. A public awareness campaign will be the next step in the process. Following the campaign, a public meeting will be held in Spring 2010 to present facts about the identified issues and ask the public to help prioritize the issues. CARE partners may apply for additional funding through the CARE Level 2 program, which provides significant funding – up to \$300,000 – to help communities implement the solutions they've identified to address the reduction of environmental impacts.

Salina resident Barb Johnson, a pollution prevention specialist at PPI and serving as Salina's CARE project manager, said, "We are excited that the EPA chose PPI and the Salina community to be a part of this process. This project has allowed us to build upon our residents' interests to improve the health of our community and local ecosystem."

Future plans include posting Salina CARE information on the City of Salina's website. In the meantime, if you need further information or are interested in participating in the Salina CARE process, please contact Barb Johnson, K-State PPI at (800) 578-8898 or barblj@ksu.edu.

KDHE Regulations in Process

The following table depicts the KDHE regulations that are in the process of being developed, amended or revoked. If you have questions on any of the regulations, contact Cathy Colglazier at (800) 357-6087.

Regulation	Division Draft ¹	External Review ²	Public Hearing	Effective ³
Waste Management				
Hazardous Waste Update (A)	*1/10	*3/10	*5/10	*7/10
Solid Waste Gas Mitigation & Monitoring at C/D Landfills (N)	*2/10	*4/10	*6/10	*8/10
Uncontaminated Soil Definition	7/09	8/09	11/09	*1/10
Air				
KC Nitrogen Oxides & Idling (N)	11/08	10/09	12/09	*1/10
PSD Update (A)	12/08	5/09	7/09	10/09
NSPS & MACT Update (A) (N)	7/09	10/09	*1/10	*4/10
Compressed Air Energy Storage (N)	*1/10	*3/10	*5/10	*7/10
Definitions and Permitting Rules (A) (N)	8/09	*1/10	*3/10	*6/10
Emission Inventory/Fees (A)	*1/10	*1/10	*3/10	*6/10
Transportation Conformity (A)	*5/10	*7/10	*9/10	*12/10
Acid Rain Nox and Permits (A)	*6/10	*7/10	*8/10	*10/10
Clarification and Consolidation (A)	*7/10	*8/10	*9/10	*11/10
Water				
PWS Groundwater Rule	*2/10	*3/10	*6/10	*9/10
Long Term 2 Enhanced SW Treatment Rule	*2/10	*3/10	*6/10	*9/10
Stage 2 Disinfection Byproduct Rule	*2/10	*3/10	*6/10	*9/10
WQS Clarification & Update	*9/10	*11/10	*1/11	*3/11
Salt Solution Mining (A)(N)(R)	8/09	*1/10	*3/10	*4/10
Environmental Field Services				
Surface WQS/Register Annual Update 2009	12/08	1/09	5/09	*1/10
Surface WQS/Register Annual Update 2010	*2/10	*3/10	*4/10	*6/10
¹ The Division Draft date is the date the regulations are sent to External Review. ² External Review includes reviews by EPA (if applicable), Department of Administration, & Attorney General ³ Effective Date is the date the regulations become effective. New (N), Amended (A), Revoked (R) * Denotes projected date.				
				Updated 1/10

As the state's environmental protection and public health agency, KDHE promotes responsible choices to protect the health and environment for all Kansans.

Through education, direct services and the assessment of data and trends, coupled with policy development and enforcement, KDHE will improve health and quality of life. We prevent illness, injuries and foster a safe and sustainable environment for the people of Kansas.

K-State Pollution Prevention Institute Receives National Award

The Kansas State University Pollution Prevention Institute (PPI) was honored for one of its programs by the National Pollution Prevention Roundtable (NPPR). The K-State institute's energy efficiency (E2) and pollution prevention (P2) intern program received the roundtable group's Most Valuable Pollution Prevention Program award, also called the MVP2 award, as the best pollution prevention project/program. The honor was presented in September in Washington, D.C.

The MVP2 award is presented based on a program's innovation, measurable results, its transferability to different regions and organizations and other factors.

The E2/P2 Intern Program is a non-regulatory, summer program designed to link top-level engineering and environmental sciences students with business and industry. Collaborations focus on projects to reduce energy use, emissions and wastes, benefiting the company bottom line and the Kansas environment. Students work with a technical advisor from PPI and a host company to research E2/P2 projects that reduce or eliminate energy use, air emissions, hazardous and solid wastes, water contaminants, and employee risks.

The Pollution Prevention Institute is part of the K-State Engineering Extension program. The institute has provided pollution prevention technical assistance to businesses, industry, institutions and agencies for the last 15 years in an effort to help them reduce wastes and emissions at the source, with funding assistance from KDHE. The institute works with entities to help identify changes in material, technology and/or processes that will reduce pollution at the source and reduce cost.

The National Pollution Prevention Roundtable provides a national forum for promoting the development, implementation and evaluation of efforts to avoid, eliminate or reduce pollution at the source. The roundtable includes the country's preeminent pollution prevention experts, from regional resource centers, state and local government programs, small business assistance networks, nonprofit groups, industry associations, federal agencies and academia.



Jeff Burke, Executive Director NPPR; Nancy Larson, Director K-State PPI; Barb Johnson, K-State PPI

16th Annual WORKS Conference to be Held in Junction City

The 2010 WORKS Conference, to be held at the Courtyard Marriott in Junction City March 23-25, will have some new features to complement the normal sessions on recycling, composting and household hazardous waste (HHW) management. A new track will address an area of growing interest and importance - the recovery of energy from organic wastes. The conference will also serve as an opportunity for solid waste stakeholders to provide input to the Bureau of Waste Management for the development of the next five-year update to the Kansas Solid Waste Management Plan scheduled for adoption mid-2010. The results of a stakeholder and public survey carried out in the fall of 2009 will be presented during the general session and stakeholder input will be measured at the meeting by using electronic voting "clicker" technology. The State Plan discussion will continue at an afternoon roundtable session for interested persons.

As always, the conference will include numerous sessions to help beginners and experienced workers become better recyclers, composters, and operators of waste facilities. The Kansas Organization of Recyclers will again actively participate in the conference recycling sessions and hold a special social event following the conference activities on March 24.

You can register for WORKS 2010 online at www.kdheks.gov/waste/works10.html or by mailing a completed registration form which can be obtained online by going to the bureau webpage (www.kdheks.gov/waste/) or by calling (785) 296-1600.

Greenhouse Gas Tailoring Rule

by Melissa McDonald, KDHE Bureau of Air

In 2007, the Supreme Court found that greenhouse gases are air pollutants covered by the Clean Air Act. In response, EPA recently published two distinct findings regarding greenhouse gases:

- **Endangerment Finding:** that the current and projected concentrations of the six key well-mixed greenhouse gases--carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆)--in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding:** that the combined emissions of these greenhouse gases from new motor vehicles and their engines contribute to the greenhouse gas pollution which threatens public health and welfare.

Although these findings do not impose any requirements on industry or other entities, it allows EPA to finalize the greenhouse gas emission standards for light-duty vehicles. Those standards were proposed jointly with the Department of Transportation's Corporate Average Fuel Economy (CAFE) standards in September 2009.

On October 27, 2009, EPA proposed the Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule. EPA is proposing to tailor the major source applicability thresholds for greenhouse gas (GHG) emissions under the Prevention of Significant Deterioration (PSD) and Title V programs of the Clean Air Act (CAA) and to set a PSD significance level for GHG emissions. This proposal is necessary because EPA intends to promulgate regulations to control GHG emissions from light-duty vehicles by March 2010, triggering PSD and Title V applicability requirements for GHG emissions at stationary sources.

If PSD and Title V requirements apply at the applicability levels currently provided under the CAA (100/250 tons), State permitting authorities would be overwhelmed by permit applications that are orders of magnitude greater than their current administrative resources could accommodate. On the basis of the legal doctrines of "absurd results" and "administrative necessity," this proposed rule would phase in the applicability thresholds for both the PSD and Title V programs for sources of GHG emissions at 25,000 tons instead of 250 tons. The first phase, which would last 6 years, would establish a temporary level for the PSD and Title V applicability thresholds at 25,000 tons per year (tpy), on a "carbon dioxide equivalent" (CO₂e) basis, and a temporary PSD significance level for GHG emissions of between 10,000 and 25,000 tpy CO₂e. EPA would also revise applicability and significance level thresholds to implement streamlining techniques, as appropriate.

In Kansas, the number of new or modified PSD sources over the proposed 25,000 tpy threshold is approximately 20. It is further estimated that 165 Title V permits will be required for GHG emissions in Kansas. Of these sources, the potential new sources are confined animal feeding operations and some additional municipal solid waste landfills.



Are you a small business that has questions regarding compliance with environmental regulations or permits? Don't hesitate to call Kansas State University's Small Business Environmental Assistance Program for free, confidential, technical assistance! Simply call (800) 578-8898 or visit www.sbeap.org.

2010 Pollution Prevention Awards

KDHE presents the annual awards to communities or community groups, businesses and industries who have made significant improvements in protecting our environment by preventing pollution.

The 2010 application form will soon be available at www.kdheks.gov/sbcs/p2_pollution_prevention_awards.html.

Don't miss this opportunity to obtain recognition for all of your hard work!



KDHE Awarded Grant to Develop Environmental Public Health Tracking Program

by Tom Langer, KDHE Bureau of Environmental Health

Through a grant from the U.S. Centers for Disease Control and Prevention (CDC), the Bureau of Environmental Health is developing the Kansas Environmental Public Health Tracking Program to collect, analyze, interpret and publish environmental health data indicators as part of the National Environmental Public Health Tracking Network.

Development of the network is part of a national initiative led by the CDC and will include the development of a web-based system to track key environmental hazards and health concerns across Kansas. When implemented in Kansas, the tracking network will help KDHE identify potential threats to the health of Kansans and will improve KDHE's response to those threats. When completed, individuals will be able to access critical environmental health information that will help them make informed decisions and take action to protect themselves and their families.

There is a fundamental gap in our knowledge of how the environment affects public health. Chronic diseases, such as asthma, cancer, diabetes and heart disease account for more than 70 percent of deaths in the United States. While links between certain chronic diseases and the environment have been reported, many of these connections remain unclear. Using the information that will be available, the environmental public health tracking network will help identify hazards and risks that can be remediated or avoided to create a better quality of life for Kansas families.

Timely, integrated environmental and health data at the federal, state and local levels via the national and state tracking networks will also provide a basis for early notification of pending environmental threats or unforeseen events.

For more information, contact ksept@kdheks.gov.

EPA Approves Kansas to Implement Landfill RD&D Rule

by Bill Bider, KDHE Bureau of Waste Management

On November 3, 2009, EPA's approval of KDHE to administer the Research, Development and Demonstration (RD&D) Rule became effective. This rule applies only to Subtitle D municipal solid waste landfills (not the small arid landfills in western Kansas that receive less than 20 tons of waste per day). It authorizes the KDHE Bureau of Waste Management (BWM) to approve alternative operational practices related to liquids additions and alternative final cover designs as long as the landfill maintains no more than 12 inches of leachate on the bottom landfill liner.

This new authority is important and desirable by nearly all landfill owners because they recognize that there are economic and technical benefits of this added flexibility. Liquids addition has always been prohibited except for limited leachate recirculation, but now a landfill can modify its facility operations plan to receive and dispose of liquid wastes and sludges which will generate a new revenue stream and will facilitate the biodegradation of waste. Enhanced biodegradation results in more settling of waste (thus, freeing up more air space), more methane gas generation which is desirable when the gas is being collected and beneficially used, and a quicker stabilization of the entire waste mass.

Alternative final covers generally means a thicker soil cover replacing the prescriptive expensive composite material cover that includes a high-density plastic layer in addition to compacted clay and a drainage layer. Various hydrogeological models are used to demonstrate that the soil cover will adequately control the infiltration of precipitation through processes such as evapo-transpiration. Soil covers are much less expensive than composite covers.

Several landfill owners or operators are already working with BWM to receive approval for liquids additions and alternative covers. As part of receiving these approvals, facilities must submit annual reports documenting performance and other operational practices.

Green Lodging Pilot Program

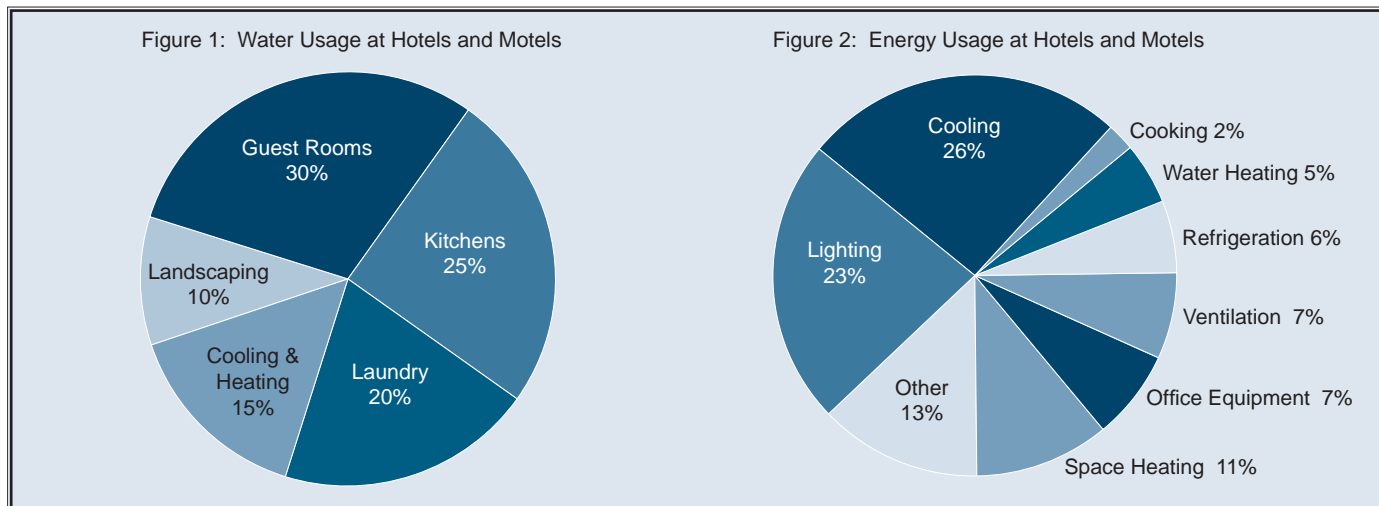
by David Carter, K-State Pollution Prevention Institute

As the national economy tightens and American citizens and business men and women travel less, lodging facilities across the country are looking for opportunities to reduce expenses, conserve natural resources and “go green.” The hospitality industry is resource-intensive, spending close to \$4 billion on energy every year¹ and using an average of 21,537 gallons of water per day². In fact, the average hotel uses 218 gallons of water a day per occupied room according to the California Integrated Waste Management Board and related studies estimate that the hospitality industry can reduce water and sewer bills by 25-30 percent, simply through the use of water-saving programs and devices³. Reducing water consumption naturally reduces energy demand and then has a favorable environmental health impact on our communities, region, and environment. According to Energy Star, reducing energy use by 10 percent across the hospitality industry would save \$745 million⁴.

The Kansas State University Pollution Prevention Institute (PPI) is reaching out to help the hospitality industry reduce operating costs by lowering energy and water consumption. In the summer of 2010, PPI will launch a green lodging pilot program with a focus on the Kansas City region. Patterned on successful intern programs at PPI and other organizations in EPA Region 7, PPI will recruit lodging facilities and utilize a trained energy efficiency (E2)/ pollution prevention (P2) student intern to visit 15-20 facilities in the region to identify E2 and water conservation opportunities. Also referred to as a “circuit rider,” this intern will conduct brief energy and water assessments at no cost to the facility. Based on the savings opportunities identified during these brief visits, facilities may want to request a dedicated intern for a 10-week period during the summer to more accurately quantify energy and water-savings opportunities and provide cost feasibility analyses for recommended projects.

The Kansas Department of Agriculture licenses 825 lodging facilities, which include hotels, motels, lodges and bed-and-breakfast operations. Figure 1 shows a pie chart of typical water usage at hotels and motels⁵. Figure 2 shows the typical energy usage for similar facilities⁶. Drawing upon experience from similar programs in other states, the K-State PPI anticipates identifying 1,000,000 kWh or 3,413 mBTU in energy savings, 5,000,000 gallons in water savings, and \$200,000 in cost savings related to these P2 opportunities.

Having a PPI lodging intern at your facility can help you find more treasure than a leprechaun on St. Patrick’s Day! Contact Ryan Hamel or Nancy Larson at 800-578-8898 for more information or go to www.sbeap.org/internship/business/ to complete an application online.



¹ U.S. Environmental Protection Agency, Energy Star, http://www.energystar.gov/ia/business/hospitality/factsheet_0804.pdf.
² Southwest Florida Water Management District, <http://www.swfwmd.state.fl.us/conservation/waterwork/checklist-hotel.html>
³ California Integrated Waste Management Board, <http://www.ciwmb.ca.gov/EPP/greenlodging/>
⁴ U.S. Environmental Protection Agency, Energy Star for Hospitality, http://www.energystar.gov/index.cfm?c=hospitality.bus_hospitality
⁵ North Carolina Department of Environment and Natural Resources, *Water Efficiency Manual for Commercial, Industrial and Institutional Facilities*, <http://www.p2pays.org/ref/01/00692.pdf>, page 13, May 2009.
⁶ U.S. Environmental Protection Agency, http://www.energystar.gov/ia/business/EPA_BUM_CH12_HotelsMotels.pdf, revised December 2007.

Kansas Department of Health and Environment
Bureau of Environmental Field Services
1000 SW Jackson, Suite 430
Topeka, Kansas 66612-1367

PRSRT STD
U.S. POSTAGE
PAID
TOPEKA, KANSAS
PERMIT NO. 157

Upcoming KDHE Events and Deadlines

2010 Works! Conference on Recycling, Composting and HHW

March 23-25

Junction City, KS

www.kdheks.gov/waste/

Kansas Environment Report

This report will provide a status of air, land, and water issues as they relate to the programs administered by KDHE Division of Environment. The report will be published in March and posted to the KDHE website at www.kdheks.gov/environment/index.html.

Emission Inventory Due Dates

Class II 50% Rule	Due February 15
Class II	Due April 1
Class I	Due June 1

Kansas Environmental Conference

Due to budget reductions and limited staff resources, KDHE will not be holding the Kansas Environmental Conference in 2010.

Kansas Environmental News



Kansas Department of Health
and Environment

Prepared and Distributed by
Bureau of Environmental
Field Services

Please direct inquiries and opinions to:

KDHE - BEFS
Kansas Environmental News
1000 SW Jackson, Ste. 430
Topeka, KS 66612-1367

For subscription information call:

(785) 296-6603
Fax: (785) 291-3266
e-mail: ccolglazier@kdheks.gov

KDHE on the Web
www.kdheks.gov