



Natural Disaster Debris Technical Guidance Document SW-2009-G2

When a large amount of waste results from a natural disaster (e.g. storms, tornadoes, floods, and fires) the Kansas Department of Health and Environment (KDHE) can grant flexibility concerning the management of this disaster debris and the payment of tonnage fees. This document describes flexible options available to responsible local governments and provides general guidance for initiating debris management operations.

Establishing the debris management plan

The first step in this process should be to determine or confirm how and where debris will be collected, stored, processed, and disposed. If the city/county already has a debris management plan, that plan should be promptly evaluated to determine whether it adequately addresses the specific nature and extent of the disaster. KDHE will consult with local government and state officials to discuss plan implementation with or without modifications.

Most locations will need to make prompt decisions regarding the need to use some or all of the following approaches to debris management:

1. Using existing permitted facilities with or without operating plan modifications;
2. Establishing unpermitted emergency waste processing and disposal facilities;
3. Reopening old closed landfills;
4. Establishing temporary waste staging areas to facilitate recycling and disposal;
5. Approving of new open burn sites

KDHE will provide technical assistance in establishing comprehensive and efficient debris management systems considering all factors.

Alternate operating procedures at existing, permitted disposal facilities

The large amount of solid waste resulting from a natural disaster may require permitted disposal facilities that receive debris to deviate from approved operation plans. The KDHE Bureau of Waste Management (BWM) Solid Waste

Permits Section will provide guidance to facility owners and managers regarding requirements to make plan modifications.

Plan modifications could include modifications to: hours of operation, waste/recyclables staging areas, waste screening requirements, storm water controls, dust controls, traffic routing, fencing, etc.

Storage or disposal without a permit

KSA 65-3407c allows the Secretary of KDHE to authorize temporary storage and/or disposal of disaster debris at sites that have not been issued a permit by KDHE. The following conditions apply:

- The request must be made by the local government authority having jurisdiction over the area.
- Authorization may be granted only if failure to act quickly could jeopardize human health or the environment.
- Written approval must be obtained from the landowner.
- Written approval must be obtained from the local government or zoning authority having jurisdiction over the site.
- The local government must agree to provide proper closure of the site, and post-closure maintenance of disposal sites.

KSA 65-3407c further describes the factors that the Secretary must consider when determining eligibility for storage or disposal without a permit.

To request authorization for storage or disposal without a permit, please contact the BWM Solid Waste Permits Section or coordinate with the on-site KDHE representative. The application forms, “Storage and Transfer of Solid Waste Resulting from Natural Disasters” and “Disposal of Solid Waste Resulting from Natural Disasters,” can be found on the BWM website.

Reopening closed landfills

An acceptable option for debris disposal may be an old closed city or county landfill. The advantages of reopening such sites are that the land is usually owned by local government and such sites are usually close to the area(s) of debris generation. KDHE will help local government officials evaluate the feasibility of reopening landfills and provide technical guidance as to what needs to be done to implement such practices. Reopening of an old landfill may constitute a form of approvable disposal without a permit as described above (if the old landfill never had a permit).

Applications to establish new open burn sites

Most natural disasters result in the generation of large amounts of “woody” waste including trees, brush, and perhaps some clean/untreated wood that may be open burned, if approved by KDHE. While KDHE will always recommend wood processing to produce usable mulch or wood fuel to be used in one of several wood burning industrial establishments, burning is permitted for such waste. Burning of mixed debris is not recommended even though it has been used as a disaster debris disposal alternative in the past.

If a new open burn approval is needed, the responsible local government must submit an “Application for Approval - Open Burning

Operation” to the nearest KDHE district office for review and approval. A list of district contacts can be found at the following webpage link:

<http://www.kdheks.gov/bar/download/AQDistrictMaps.pdf>

Approval may also be granted by an on-site KDHE representative.

Required Waste Segregation

To maximize debris management efficiency and to minimize costs, good debris segregation at the curb is essential. Information should be provided promptly to the public, volunteers, and contractors in the form of flyers and at public meetings. Debris should be separated into the following categories: woody waste (trees and brush); household chemical waste including gas cans and units containing fuel; appliances; tires; consumer electronics; large pieces of recyclable metal; and mixed debris.

Exemption from the tonnage fee

The Secretary of KDHE is granted authority under KSA 65-3415b to waive the state solid waste tonnage fee of \$1.00 per ton when large quantities of solid waste are generated due to a major natural disaster. To request a waiver of the tonnage fee please contact the BWM Regulations and Data Unit. The application form, “Request for Waiver of the State Solid Waste Tonnage Fee,” can be found on the BWM website.

Solid waste consisting solely of vegetation from storm-related clean-up is exempt from the tonnage fee without a specific waiver from KDHE. If this vegetation is disposed of in the landfill, it should be reported on the Tonnage Report as exempt construction and demolition (C/D) waste.

You may contact BWM at (785) 296-1600, <http://www.kdheks.gov/waste/>, or the address above for additional information.