



Testimony on Senate Bill 188

**Presented to
House Agriculture and Natural Resources Committee
by
Bill Bider
Director, Bureau of Waste Management**

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Mr. Chairman and members of the committee, my name is Bill Bider. I am the director of KDHE's Bureau of Waste Management. We appreciate this opportunity to provide testimony in support of Senate Bill 188 which will authorize our department to approve of certain solid waste disposal activities without a permit issued by the department. More specifically, the change proposed to K.S.A. 65-3407c will allow KDHE to approve of the disposal of building demolition waste at locations "adjacent to or near" the building demolition site. Existing law already allows the department to approve of disposal at the demolition site if certain conditions are satisfied.

Why is this change to the law needed? Over the past two years, several small communities in western Kansas have contacted KDHE requesting permission to dispose of inert building demolition waste at sites located just outside of town. The buildings to be demolished have included condemned structures that present safety and aesthetic concerns. Some requests have more generally related to a city's goal to improve and redevelop their downtown area. Our existing authority to approve of the on-site burial of waste is not practical because of space limitations and redevelopment plans. Also, disposal in existing permitted landfills has been impractical due to various reasons including the distance to the landfills, the capacity of the landfills, and the cost of disposal. Despite these factors, KDHE has had to deny the requests because existing law requires disposal of such waste in a permitted landfill unless the waste is buried at the demolition site.

The existing section of law identifies seven sources of waste that are eligible for disposal without a permit and the factors that KDHE should consider when reviewing such requests. The building demolition category is proposed for modification to add the authorization to bury the waste some reasonable distance away from the demolition site. Also, some additional evaluation criteria are added to ensure that this new authority is not abused. Additional factors to be considered by KDHE when reviewing requests include: (1) public safety concerns, (2) proposed plans to redevelop the demolition site, and (3) the disposal capacity of any nearby landfills. The existing criteria already allow KDHE to consider the cost of alternative disposal methods.

We believe this change to the law will significantly benefit small town redevelopment and minimize small town expenditures without impacting private landfill business practices.

I would be happy to answer any questions.