

Permit Renewal Fee Limitations for Solid Waste Disposal Areas and Processing Facilities; SB 417

SB 417 establishes new permit renewal fee limitations for solid waste disposal areas (disposal areas) and solid waste processing facilities (processing facilities) that are regulated by the federal standards for the disposal of coal combustion residuals (CCR).

[*Note:* CCR are generated when coal is burned in electric power plants and then disposed of in landfills or surface impoundments.]

The bill establishes the annual permit fee for disposal areas and processing facilities that are permitted by the Secretary of Health and Environment and subject to the federal requirements at a minimum of \$12,000 to a maximum of \$16,000. The new annual permit fee limitations apply until a new fee schedule is adopted by the Secretary through rules and regulations.

The bill requires that if a single permit encompasses more than one disposal area or processing facility, the total fee for the permit will be an amount equal to the sum of the fees for each disposal area and processing facility subject to federal standards encompassed in the permit.

The bill provides that if a disposal area or processing facility is operating under a federally issued CCR permit that includes all federal requirements, the disposal area or processing facility will not be subject to the fees established in the bill, but subject to the fee for a disposal area that does not accept CCR, which in continuing law is not less than \$1,000 and not more than \$4,000.

In addition, upon a determination by the Kansas Department of Health and Environment that a disposal area or processing facility meets all applicable federal post-closure care requirements and state regulations, the disposal area or processing facility will no longer be subject to permitting under provisions of the bill.

The first annual permit fee will be due on September 1, 2022.