

February 4, 2026

The Honorable Virgil Peck, Chairperson
Senate Committee on Agriculture and Natural Resources
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Peck:

SUBJECT: Fiscal Note for SB 407 by Senate Committee on Agriculture and Natural Resources

In accordance with KSA 75-3715a, the following fiscal note concerning SB 407 is respectfully submitted to your committee.

SB 407 would authorize the Kansas Department of Health and Environment to adopt proposed permanent administrative rules and regulations concerning hazardous waste monitoring and permit application fees as identified and described in their Economic Impact Statement submitted for KAR 28-31-10 and 28-31-10b. The bill would be effective upon publication in the *Kansas Register*.

Estimated State Fiscal Effect			
	FY 2026	FY 2027	FY 2028
Expenditures			
State General Fund	--	--	--
Fee Fund(s)	--	--	--
Federal Fund	--	--	--
Total Expenditures	--	--	--
Revenues			
State General Fund	--	--	--
Fee Fund(s)	--	\$1,466,400	\$1,466,400
Federal Fund	--	--	--
Total Revenues	--	\$1,466,400	\$1,466,400
FTE Positions	--	--	--

According to the Kansas Department of Health and Environment, enactment of SB 407 would result in additional fee fund revenue totaling \$1.5 million per year. The agency notes that these fees are paid by the generators, transporters, and handlers of hazardous waste. Each facility that generates, treats, stores, or disposes of hazardous waste is required to pay the fee. When the agency receives corrective action sites, there is a corresponding administrative order or agreement. Some of these orders or agreements have provisions for the agency to recover oversight costs, however, many of the agreements do not allow the agency to recoup expenditures. The agency states the proposed regulations would increase the fees for hazardous waste generators, hazardous waste transporters, and hazardous waste treatment facilities. The proposed fee regulations include a provision for the agency to recoup costs associated with the oversight of these corrective action sites and administration of the order or agreement.

The proposed fees would not exceed the statutory cap currently in place. Fee fund revenue is used, along with federal grants, to operate the Hazardous Waste Program. While federal grants in this program have remained consistent, fee funds have had to provide an increasing percentage of total program costs to adjust for inflation and other cost increases. The agency notes that without fee increases program adequacy as determined by the federal Environmental Protection Agency would be in jeopardy. Any fiscal effect associated with SB 407 is not reflected in *The FY 2027 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Amy Penrod, Department of Health & Environment