

SESSION OF 2026

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 407**

As Amended by Senate Committee on  
Agriculture and Natural Resources

**Brief\***

SB 407, as amended, would authorize the Kansas Department of Health and Environment (KDHE) to adopt the proposed permanent administrative rules and regulations, KAR 28-31-10 and KAR 28-31-10b, pertaining to hazardous waste monitoring and permit application fees that have been identified and prepared by KDHE on August 22, 2025, and provided to the Senate Committee on Agriculture and Natural Resources on February 10, 2026.

The bill would be in effect upon publication in the *Kansas Register*.

[*Note:* KSA 2025 Supp. 77-441 requires the Legislature to ratify through passing legislation regarding any proposed rules and regulations by a state agency that has an economic impact statement that indicates the implementation and compliance costs will total \$1.0 million or more. Information on the rules and regulations and fiscal information follows below.]

**Background**

The bill was introduced to the Senate Committee on Agriculture and Natural Resources at the request of the Director of Environment for KDHE.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

## ***Senate Committee on Agriculture and Natural Resources***

In the Senate Committee hearing, **proponent** testimony was provided by the Director of Environment for KDHE, who stated the bill would allow the Bureau of Waste Management, KDHE, to keep up with rising costs associated with the transportation and disposal of hazardous waste that were once covered by federal grants from the U.S. Environmental Protection Agency but are no longer fully covered by the grant, which has remained at the same funding level for 15 years. The conferee also stated that, in recent years, the Legislature has had to approve budget enhancements to cover the costs of these hazardous waste removal services, and that passage of the bill would provide a long-term solution to this issue.

No other testimony was provided.

The Senate Committee amended the bill to specify the economic impact statement prepared by KDHE on August 22, 2025, was provided to the Senate Committee on Agriculture and Natural Resources on February 10, 2026.

### **Fiscal Information**

According to the fiscal note prepared by the Division of Budget on the bill, as introduced, KDHE indicates passage of the bill would result in additional fee fund revenue totaling \$1.5 million per year. The agency notes 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 KDHE 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.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2027 Governor's Budget Report*.

Hazardous waste disposal; KDHE; Department of Health and Environment; fees; hazardous waste removal