

LEPP TALKING POINTS

Kansas Law K.S.A. 75-5657 states:

“On and after January 1, 1990 the State of Kansas shall provide state environmental protection grants to local health departments or other local entities for the purpose of developing and implementing environmental protection plans and programs. A local entity or the Kansas department of health and environment may enter into contracts to develop implement or carry out any elements of the local environmental protection plan or program.”

The statute implies that to carry out any elements funding would be continued. In addition, K.S.A. 19-3701 defines sanitary code as meaning:

“...rules and regulations designed to minimize or control those environments and environmental conditions that may adversely affect the health and well being of the public. Such environments and environmental conditions may include, but are not restricted to: sewerage and sewage disposal; water supply; food and food handling; insects and rodents; refuse storage, collection and disposal; housing, trailers and trailer courts.”

LEP is the only agency that regulates the disposal of septic tank waste in the State of Kansas. In Kansas, using 1980 census data if you assume the potential of 450 gallons (3 bedroom house) X 950,511 (number of homes in Kansas with onsite wastewater systems) X 365 days per year, Kansas has the potential to generate just over 156 billion gallons of septic tank waste per year. This is more than 20 billion gallons greater than the wastewater generated by the city of Wichita in one year.

If LEP Programs disappear, who will license private wastewater system installers, septic tank pumpers, inspect private wastewater systems, inspect wells, handle local solid waste issues, or respond to environmental and sanitation complaints? There will be virtually no registered environmental health professionals working indirectly for the State of Kansas.

The State of Kansas has invested about \$33,000,000 over 22 years in the LEP Program. Under SFY 2010 the average cost was \$.35 per citizen in Kansas. The calculation for last fiscal year follows: \$980,000 (cost to State for LEPP) / 2,816,000 Kansas Citizens = \$.35

Average total cost (salaries & wages, commodities, etc.) per hour of LEPP service is about \$30.68 compared to a state agency cost of about \$40 per hour.

Before the LEP Program only 12 counties had sanitation codes. Six Sanitarians served the State of Kansas. Four of the six state sanitarians were moved to work in the state solid waste program. Two state sanitarians were left to handle complaints throughout the State. Currently there are 47 LEP Programs serving the State of Kansas. These programs employ one or more persons that represent 102 counties at the local level.

Prior to the LEP program many complaints were worked by the state within a 4-6 week time period. After establishment of the LEP program the program began to reach most individuals that had a complaint within 1- 2 days.

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Specialized training was required for all LEP participants. Training included: wastewater system installation, water testing, lead, solid waste, household hazardous waste, soil testing, water well construction, and others. Certifications for trainees include: National, and state certification as a sanitarian (RS/REHS), Certified Lead Inspector, hazardous waste operations emergency response (Hazwoper), National Association of Wastewater Transporters Certification (NAWT), Healthy Homes Specialist (HHS), Environmental Health Training in Emergency Response (EHTER). Loss of the LEP Program could result in a loss of 21 years of environmental training and education of field staff in Kansas counties. Loss of the LEP Program could also result in a loss of 21 years of cooperation between counties and state agencies in Kansas.

All LEP program dollars were used for program development and implementation over the years. Additional target grants were developed by KDHE for specific purposes. Some examples include: TMDL assessments, septic system surveys, purchase of water testing equipment, and GIS.

There were 4060 private wastewater systems permitted within the state of Kansas in 2002. If you extrapolate the last 10 years, that would mean 40,600 systems permitted since the year 2000. The program has been in existence for 21 years.

In 1989, it was commonly assumed public sewers would be extended to all rural areas. Over the past 21 years this has proven not to be the case. On-site wastewater systems currently serve 25-35% of our citizens.

In Kansas during the major flooding events of 1993, this program was used to facilitate one of the largest private water well surveys in the history of the CDC. The results of this survey were useful at the local, state, and national level.

The LEP Program is the eyes and ears of the KDHE and other agencies. The LEPP have supported: District KDHE Offices, KDHE Bureau of Solid Waste, KDHE Bureau of Water (enforce Kansas water well laws and the state private sewage system regulations, Bulletin 4-2), KDHE Bureau of Epidemiology (West Nile Virus Response), Kansas Bureau of Air, Kansas Bureau of Environmental Health (Lead, Radon, Mold and Healthy Homes), KDHE Leaking Underground Storage Tank Program, Kansas Department of Transportation (Sewage in ditches and Salvage Yards Programs), Kansas Department of Wildlife and Parks, Kansas Department of Agriculture, Kansas Department of Cosmetology, Kansas Department of Animal Health, response to clean-up methamphetamine lab clean up, Indian Reservations (consultation for private wastewater systems), KSU Extension (water festivals, water testing, earth day events), mosquito control and treatment, Natural Resource Conservation Service, Local Planning Departments, food inspections, emergency preparedness, city, county, and federal (EPA 503) governments.

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The LEP Program is often the arm of the health officer in counties where LEPP operates under the authority of the health department. Removal of LEPP will impact the influence of the State of Kansas on local environmental programs. The LEP Program provides support to local health departments so response can be made to additional complaints such as solid waste, hazardous waste, rabies.

The Sierra Club is questioning the State of Kansas response to TMDL's in Kansas water impoundments including surface water and drinking water supplies. The LEP Program will not be available to assist with response if funding is eliminated. Eliminating the LEP Program reduces Kansas response to lower related pollutants in Kansas water.

The LEP Program continues to be a vital and integral part of the total effort in Kansas to protect public health and the environment of Kansas citizens.