

SESSION OF 2014

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2551

As Amended by House Committee on
Agriculture and Natural Resources

Brief*

HB 2551 would repeal a series of existing statutes that had required the Kansas Department of Health and Environment (KDHE) to regulate polychlorinated biphenyls (PCBs) processing and disposal facilities. (PCBs is the abbreviation for polychlorinated biphenyls, which are a type of nonflammable and stable synthetic oil historically used in electrical transformers and in other products including paint, caulk, and various hydraulic and insulating oils. Production was banned in 1979 based upon toxicity and suspicion that it was a carcinogen.)

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

Background

This bill was introduced at the request of a spokesperson from KDHE. At the House Committee hearing on the bill, the only conferee was a proponent from the agency. The Committee was told the agency was asking for the repeal of these statutes to avoid the unnecessary duplication of effort by KDHE and the U.S. Environmental Protection Agency (EPA) and to minimize regulatory burden on the affected industry. The Committee learned that, currently, Kansas has two commercial PCB processing facilities, Clean Harbors in Coffeyville and Solomon Electric in Solomon. The Committee was told the repeal of these

*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 <http://www.kslegislature.org>

statutes would eliminate permit application fees related to future facility modification without adversely impacting public health or the environment, since EPA approval of facility modifications does not require fee payment.

The House Committee on Agriculture and Natural Resources amended the effective date of the bill to publication in the *Kansas Register*.

The fiscal note on the original bill indicates the fiscal effect on KDHE would be negligible. The fiscal note also states the bill would eliminate permit fees related to industry regulation; however, during the last 30 years that this statute has been in effect, KDHE has received only two permit applications.