

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT.

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on February 21, 2002 in Room 231-N of the Capitol.

All members were present except: Representative Jeff Peterson - excused
Representative Ted Powers - excused

Committee staff present: Emalene Correll, Kansas Legislative Research Department
Raney Gilliland, Kansas Legislative Research Department
Mary Torrence, Revisor of Statute's Office
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee: Bill Bider, Director, Bureau of Waste Management, KS
Department of Health & Environment, 1000 SW Jackson, Ste.
320, Topeka, KS 66612
Chiquita Cornelius, Kansas Business & Industry Recycling
Program, 2933 SW Woodside Drive, Topeka, KS 66614

Others attending: See Attached Sheet

Chairperson Joann Freeborn called the meeting to order at 3:30 p.m. She announced that the Sub-Committee Chairperson Becky Hutchins does not have a report on **SB264**, but hopes to have it completed by next Tuesday, February 26.

Chairperson Freeborn announced that, she as Chairperson of the Sub-Committee for **HB2703**, held a meeting on Wednesday, February 20 and recommended to the Sub-Committee that they could independently work on amendments to present to the committee today.

The Chairperson opened **HB2703** for discussion and possible action.

HB2703: Classes of construction and demolition landfills

Bill Bider, Director, Bureau of Waste Management, KDHE, was welcomed to the committee. He presented a balloon to the bill and explained the changes that had been made. (See attachment 1)

Rep. Don Myers made a motion the amendments submitted by KDHE be adopted. Rep. Dennis McKinney seconded the motion. Motion carried.

The Chairperson recognized Rep. Laura McClure. She explained language of an amendment submitted by the industry. (See attachment 2)

Scott Young, representing Construction and Demolition Landfills Association, addressed the committee and answered questions concerning the industry amendment.

Bill Bider, Director, Bureau of Waste Management, KDHE, responded to questions concerning the amendment submitted by the industry.

Rep. Bill Light made a motion to adopt the amendment submitted by the industry. Rep. Sharon Schwartz seconded the motion. Motion failed.

Rep. Laura McClure made a motion to pass the bill as amended. Rep. Don Myers seconded the motion. Motion carried. Rep. Dan Thimesch will carry the bill on the House Floor.

Chairperson Freeborn opened **HB2830** for discussion and possible action.

HB2830: Environmental use controls; prohibition or restriction of activities on or use of property where contamination has occurred.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 231-N of the Capitol
at 3:30 p.m. on February 21, 2002.

The Chairperson called the committee's attention to page 3 of the bill. She suggested that in section 3, (d), line 27, "county clerk" be changed to "Register of Deeds".

Rep. Becky Hutchins made a motion to change "county clerk" to "Register of Deeds". Rep. Tom Sloan seconded the motion. Motion carried.

Rep. Bruce Larkin made a motion to remove "directed to" on page 6, line 2 and insert "may". Rep. Becky Hutchins seconded the motion. Motion carried.

Rep. Tom Sloan made a motion to delete lines 31 thru 33 and lines 38 thru 40 on page 5 of the bill. Rep. Dennis McKinney seconded the motion. Motion carried.

Rep. Dennis McKinney made a motion to amend (b), section 7, page 6, "that requires the system for tracking environmental use controls to be maintained in a manner that allows the system to be searched by city and/or county". Rep. Bill Light seconded the motion. Motion carried.

Rep. Tom Sloan made a motion to amend (b), section 7, page 6, "that requires the tracking system to include information on the cause and type of the environment contamination involved". Rep. Bruce Larkin seconded the motion. Motion carried.

Rep. Tom Sloan made a motion the bill be passed favorably as amended. Rep. Ray Merrick seconded the motion. Motion carried. Rep. Tom Sloan will carry the bill on the House Floor.

The Chairperson opened the hearing on **HB2915**.

HB2915: Department of Health and Environment directed to become involved in certain product stewardship programs.

The Chairperson recognized Rep. Laura McClure. She presented testimony on behalf Rep. Annie Kuether in support of the bill. This bill allows the Secretary of the Kansas Department of Health and Environment (KDHE) to establish rules and regulations regarding the solid waste management program and directs KDHE to become more involved in national and regional product stewardship initiatives. The costs are estimated to be \$77,000. Bill Bider of KDHE will address these issues in his testimony. All uses benefit waste reduction and are a benefit to all of Kansas. (See attachment 3)

Bill Bider, Director, Bureau of Waste Management, KDHE, was welcomed. He presented testimony in support of the bill. The department worked with Representative Kuether and other members of the legislature to develop this bill as an alternative to an initial proposal to ban the landfill disposal of cathode ray tubes (CRTs). Over the past two years, the disposal of CRTs and other consumer electronics has received a great deal of attention, both because of the increasing volume of this waste stream and because there are some toxic components in these wastes. The primary environmental concern in CRTs is the lead in the monitor screen. KDHE has no environmental concerns associated with the disposal of this leaded glass in their well controlled and monitored municipal solid waste landfills, but do have concerns about filling these landfills up with these high volume wastes. The bill authorizes KDHE to enter into a contract with a statewide recycling organization to help implement product stewardship in Kansas. Department staff effort would be limited and absorbed by existing staff with responsibilities related to solid waste planning, public education, and technical training. Most work would be implemented under a contract with a private organization such as the Kansas Business and Industry Recycling Program (BIRP). KDHE has estimated that the annual cost of such a contract would be approximately \$75,000. This would cover the costs of one full time staff person and travel and operating expenses. KDHE would also experience expenses related to membership fees for product stewardship organizations (about \$2,000 per year). These expenses would be funded from the dedicated solid waste management fund. (See attachment 4)

The Chairperson welcomed Chiquita Cornelius, Executive Director, Kansas Business and Industry Recycling Program, Inc.(BIRP) Kansas BIRP testified in a neutral position to the bill and has concerns with the current language on page 3, lines 6 and 7 "to implement such principles within this state." They support and feel it

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 231-N of the Capitol at 3:30 p.m. on February 21, 2002.

is very important for Kansas to be represented and included in the dialogue at the national and regional levels as new programs and initiatives are explored and programs adopted as a result of these principals. They feel certain, however, that it may not be feasible or practical to implement all the programs developed around the stated principles. (See attachment 5) A recommended change in the language, page 3, lines 5 through 7, was distributed to the committee. (See attachment 6) Discussion followed.

The Chairperson closed the hearing on **HB2915** and announced that final action may be taken on this bill in the next committee meeting on Tuesday, February 26. Final action may be taken on **SB264** at that time.

Gary Blackburn, Director, Bureau of Environmental Remediation, KDHE, distributed information in regard to a question posed by Rep. Dennis McKinney in committee on February 19 in regard to **HB2830**. (See attachment 7)

The meeting adjourned at 5:05 p.m. The next meeting is scheduled for Tuesday, February 26, 2002.
