

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Larry Powell at 8:30am on Thursday, February 12, 2015, 159-S of the Capitol.

All members were present

Committee staff present:

Mark Savoy, Legislative Research Department
Heather O'Hara, Legislative Research Department
Toni Beck, Kansas Legislative Committee Assistant
Tamera Lawrence, Office of Revisor of Statutes

Conferees appearing before the Committee:

Bill Bider, Department of Health and Environment
Ryan Hoffman, KS Corporation Commission
Patrick Vogelsberg, National Waste and Recycling Association

Others in attendance:

[See Attached List](#)

Hearing on: SB125 — Allowing NORM and TENORM to be eligible for disposal in Kansas landfills.

Chairman Powell opened the hearing on the bill.

Tamera Lawrence presented an overview.

Bill Bider testified in favor of the bill stating current law prohibits burial of low-level radioactive waste regardless of concentration and source of the radioactive isotopes. ([Attachment 1](#))

Ryan Hoffman testified in support of the bill commenting the statutory change will conform to current and historical oil and gas practices from material brought to the surface during the drilling process. ([Attachment 2](#))

Patrick Vogelsberg testified in support of the bill stating Kansas Subtitle D landfills have the necessary safeguards in place to handle these waste products. ([Attachment 3](#))

Lisa Disbrow provided written testimony commenting Waste Management provides an appropriate regulatory disposal for gas and oil including hydraulic fracking activities. ([Attachment 4](#))

No opponent testimony was presented.

Discussion:

Low level radiation sites are not available in Kansas. Public controversy on the issue began in the 1990's. Tom Conley, Kansas Department of Health and Environment, commented the radio active

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waste license is \$500,000. Expenses for the licensee are for maintaining site, ground water and oversight of the facility for the life of the project. The Chairman inquired as to what the expense is for Kansas to ship the waste to other states. He requested additional information on this at a later date.

Chairman Powell closed the hearing on **SB125**.

Chairman Powell turned the Committee's attention to **SB64-concerning public water storage supply; interest rate change.**

Discussion:

Concerns of bill language were addressed as to cumulative versus annual interest rate. There is not a current cap of interest rates for future years, and must be addressed as the loan progresses over time.

*Senator Kerschen moved, Senator Hawk seconded **SB64** be amended by Senator Francisco to add 'per year of storage'. Motion adopted. ([Attachment 5](#))*

*Senator Kerschen moved, Senator Hawk seconded **SB64** be recommended favorably for passage as amended. Motion adopted.*

Chairman Powell turned the Committee's attention to **SB97-Allowing contact with certain regulated animals.**

Discussion:

Concerns were discussed for allowing wild animals to be in contact with the public, irregardless of weight limitations. Legislation is unable to stop deaths from encounters with the natural instincts of a wild animal even with experienced qualified handlers. Livestock nor zoo animals are domesticated, and respect for their innate instincts must be responsibly recognized and respected for the danger element that is possible.

*Senator Kerschen moved, Senator Ostmeyer seconded **SB97** as amended for 'technical corrections and clarification' be recommended favorably for passage. Motion adopted.*

*Senator Kerschen moved, Senator Ostmeyer seconded **SB97** be recommended favorably for passage as amended. Motion adopted.*

Senators Hawk, Francisco, Smith and McGinn are a recorded, "No" vote.

The meeting was adjourned at 9:30 am.