

Approved 2/2/84
Date

MINUTES OF THE House COMMITTEE ON Energy and Natural Resources

The meeting was called to order by Representative David J. Heinemann at
Chairperson

3:30 ~~am~~/p.m. on January 23, 1984 in room 519-S of the Capitol.

All members were present except: Representatives Foster and Barr (excused).

Committee staff present:

Ramon Powers, Legislative Research
Raney Gilliland, Legislative Research
Theresa Kiernan, Revisor of Statutes
Pam Somerville, Committee Secretary

Conferees appearing before the committee:

Barbara Sabol, Secretary, Kansas Department of Health and
Environment

Ms. Sabol appeared before the committee to present the proposed legislation on Hazardous Waste. She said the major purposes of the legislation was to separate statutes that deal with low level radioactive waste and hazardous waste, and bring the radiation control program in conformance with the U.S. Nuclear Regulatory Commission requirements developed since 1965. (Attachment 1)


She said the primary focus of the hazardous waste legislative initiatives was to protect the health and environment of all Kansans. Part of this effort at minimizing exposure is a thorough review of potential problem sites in Kansas. Currently, there are 201 identified potential problem sites. Ms. Sabol said as review and investigation proceeds, there may be sites deleted, and it was possible that new sites would be added. (Attachment 2)

HB 2726 would create a Hazardous Waste Cleanup Fund to provide the authority and financing for expeditious action to ensure problems are identified and where necessary, cleanup can occur. She said that each entity listed on the potential problem site list (See Attachment 3) has or will receive a letter from the Department briefly describing how the Department intends to proceed. HB 2726 would also provide funds to be used for investigation activities, health assessments, evaluation of sites, contracts for services, cleanup plans, consultation services, epidemiological studies, research, emergency or long term clean-up activities and legal costs incurred in recouping fund expenditures from responsible parties.

In addition, HB 2726 would allow the Secretary of the Department of Health and Environment to have the power to determine the cleanup of hazardous waste sites necessary to protect the public health and safety; expend and authorize disbursement of monies from the fund; and authority to recover monies from persons responsible for health or environmental hazards created by the wastes. Ms. Sabol said the Governor had recommended \$500,000 for FY 1985 for the initiation of the cleanup fund. A brief question and answer period followed the presentation.

Ms. Sabol's presentation on Hazardous Waste legislation will continue January 24, 1984 at 3:30 p.m. in Room 519-S.

There being no further business before the committee, the meeting was adjourned at 4:30 p.m.


Rep. David J. Heinemann, Chairman

Date

Jan 23, 1984

GUESTS

HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE

NAME

ADDRESS

ORGANIZATION

NAME	ADDRESS	ORGANIZATION
Doug Fagan	135-N	UPI
Ed Reinert	Topeka	Ks League Women Voters
PAT SCHAFER	"	BUDGET
Jan Johnson	"	"
WHITNEY B. DAMRON	TOPEKA	KNRC
SANDRA JOHNSON	TOPEKA	KTWU
SCOTT LAMBERS	OVERLAND PARK	OVERLAND PARK
Barb Remick	TOPEKA	KS. WOMEN'S POLITICAL CAUSERS
Bud McMullen	Oklahoma City	General Motors Corp.
Rob Hedges	Topeka	KACI
A. H. D.	" "	House Majority office
Ron Smith	Topeka	NIES, Wichita
Charles V. Hamm	Topeka	Kan Dept of Health - Environment
Jane Ratcliffe	Kansas City, Mo	U.S. E.P.A.
Deb Miller	Topeka	Gov
S. McHume	Topeka	Rep. Fox's Office
M. A. Lani	Piquon	V. Chair Rep. Party
Jacquie Oakes	Grater Center	KASB
John Paul Goetz	Topeka	KDHE
Dennis Murphey	TOPEKA	KDHE
Amy Sandler	TOPEKA	KSN-TV
C. W. M. H. H.	Topeka	KDHE
Bill Anderson	Mission	Water Dist #1 of Jo Co

KANSAS STATE DEPARTMENT OF HEALTH AND ENVIRONMENT

Overview of Hazardous Waste Legislative Package

1) Amend and supplement the nuclear energy development and radiation control act.

Major purposes:

- 1) Separate statutes that deal with low level radioactive waste and hazardous waste.
- 2) Bring the radiation control program in conformance with the U.S. Nuclear Regulatory Commission requirements developed since 1965 when the Kansas Act first passed.

This proposed bill has not yet been printed.

- 2) Amend and supplement hazardous waste statutes to insure conformity with Federal requirements so that Kansas can receive full authorization to carry out the RCRA hazardous waste management program, including issuing permits.
- 3) H. B. 2725 - which amends K.S. A. 65-3443 by prohibiting ground burial of hazardous waste.
- 4) H.B. 2726 - establishes a hazardous waste clean-up fund (generally described as a Kansas Superfund).
- 5) Time limited tax incentives is the final part of this package and it is our goal to have a draft of this bill ready for presentation to this Committee this week.

KANSAS STATE DEPARTMENT OF HEALTH AND ENVIRONMENT

Presentation of Bills on Hazardous Waste

by

Barbara J. Sabol, Secretary
Kansas State Department of Health and Environment

January 23, 1984

The primary focus of the hazardous waste legislative initiatives is to protect the health and environment for Kansans - all Kansans. As I stated before this Committee last week, state and federal laws and regulations pertaining to solid and hazardous waste have evolved during the past seventeen (17) years. Laws pertaining specifically to hazardous waste and setting out details for its management did not exist prior to the 1977 session of the Kansas Legislature.

A brief review of the statutory history of the Kansas hazardous waste program might be helpful:

- 1967: Authority created to permit counties to operate solid waste disposal facilities.
- 1970: Each city and county required to develop a solid waste management plan by July 1974.
- 1977: Program to regulate hazardous wastes via permits.
- 1980: Direction to coordinate among state agencies regulating the transportation of hazardous waste.
- 1981: Comprehensive hazardous waste management act.
Proposed legislation to achieve full federal authorization and other improvements for hazardous waste management that you will be considering this session.

We know much more now than we did seventeen (17) years ago about the impact of hazardous waste on health and environment, however, there is much yet to be learned, particularly as it relates to the long-term health effects of trace amounts of toxic chemicals. This being the case, we must do all that we can do to minimize exposure to these chemicals by ensuring adequate controls.

A part of this effort at minimizing exposure is a thorough review of potential problem sites in Kansas - sites at which there has been or there is high probability that hazardous wastes have been generated, stored, treated, discharged or disposed and where there is a potential risk to public health, welfare and environment.

There are currently 201 identified potential problem sites. This is not a magic number and as the review and investigation process proceeds, there may be sites deleted, however, it is possible new sites will be added.

Attachment 2

The primary goal of the hazardous waste clean up fund is to provide the authority and financing for expeditious action to ensure that problems which may have resulted from past practices are identified and where necessary, clean-up can begin. The potential problems will not go away on their own; to ignore the problems which may result from past practices is simply to delay with that delay perhaps resulting in even more difficult and expensive clean-up activities.

Even with favorable action on H. B. 2726, the Department cannot give immediate attention to all 201 sites. We intend to review the potential problem sites against criteria such as:

- .Population at risk.
- .Hazard potential of individual substances.
- .Potential for contamination of drinking water supplies.
- .Potential for direct human or animal contact.
- .Potential for environmental harm.

Based upon our review, we intend to embark on on-site investigations according to the priorities and funds available.

Each entity listed on the potential problem site list has or will receive a letter from the Department briefly describing how we intend to proceed and providing assurances that being listed does not mean that the site should be considered dangerous but rather that follow-up is needed and can be done cooperatively.

House Bill 2726 provides that funds can be used for: (Sec. 3)

- .Investigation activities
- .Health assessments
- .Monitoring
- .Evaluation of sites
- .Contract for services
- .Clean-up plan, design and review
- .Any consultation needed concerning clean-up activities
- .Epidemiological studies
- .Research required in order to carry out the purpose of this Act
- .Mitigation of adverse environmental impacts
- .Emergency or long-term clean-up activities undertaken in accordance with this Act
- .Legal costs incurred in recouping fund expenditures from responsible parties
- .Any other program related to protecting the health or environment because of a hazard created by or threatened to be created by a hazardous waste.

House Bill 2726 also provides that the Secretary shall have the power to: (Sec. 2)

- .Determine that the clean-up of a hazardous waste site is necessary to protect the public health and safety or the environment.
- .Expend and authorize the expenditure of moneys from the hazardous waste clean-up fund.
- .Recover moneys from persons responsible for the health or environmental hazard created by the hazardous waste.

Presentation of Bills on Hazardous Waste
Secretary Barbara J. Sabol

January 23, 1984

The Governor has recommended \$500,000 for FY 1985 for initiation of this activity. The creation of this fund is an important part of insuring that the Kansas environmental plan - a plan for protection of the health and environment of Kansans is fully implemented.

LIST OF HIGHER PRIORITY SITES

	<u>Name</u>	<u>Location</u>	<u>Type of Site</u>
1.	Abandoned Sinclair Oil	Coffeyville	Industrial
2.	Abbott Laboratories	Wichita	Industrial
3.	Ace Service	Colby	Industrial
4.	Aircraft Industries and Development	Wichita	Industrial
5.	Architectural Metal Products	Wichita	Industrial
6.	Arco Petroleum Products	Kansas City	Industrial
7.	Arkansas City Dumping Site	Arkansas City	Industrial
8.	ATSF Railroad	Kansas City	Industrial
9.	ATSF Railroad Derailment	Holliday	Industrial
10	ATSF Railroad Shop & Yard	Topeka	Industrial
11.	Bardsdal	Wichita	Industrial
12.	Berg Manufacturing Company	Humboldt	Industrial
13.	Big River Sand Company	Wichita	Industrial
14.	Brooks Landfill	Wichita	County Landfill
15.	Buffalo Industry, Inc.	Garden City	Industrial
16.	Carl McClintic Dump	Normal City	Industrial
17.	Certainteed	Maize	Industrial
18.	Certainteed Plant #7	Kansas City	Industrial
19.	Cessna Aircraft #1	Wichita	Industrial
20.	Chapin Landfill	Wichita	City Landfill
21.	Chemical Comm., Inc.	Olathe	Industrial
22.	City of Neodesha Lagoon	Neodesha	Industrial
23.	Colorado Interstate Gas	Lakin	Industrial

24.	Columbia Industries	Lindsborg	Industrial
25.	Coral Refining Corp.	Kansas City	Industrial
26.	CRA, Inc.	Phillipsburg	Industrial
27.	Cross Mfg. Company	Hays	Industrial
28.	Deffenbaugh Disposal	Shawnee	Private Landfill
29.	Derby Oil Refining	Wichita	Industrial
30.	Doepke Disposal Service	Kansas City	Industrial
31.	Doepke Disposal Service	Holliday	County Landfill
32.	Dresser Industries	Great Bend	Industrial
33.	El Dorado Landfill	El Dorado	Landfill
34.	El Dorado Landfill Closed	El Dorado	Landfill
35.	Exlene	Salina	Industrial
36.	Farmland Industries Nitrogen Plant	Dodge City	Industrial
37.	Former Western Petrochemical Refining Company	Chanute	Industrial
38.	Fort Scott Dump #1	Fort Scott	County Landfill
39.	Fort Scott Dump #2	Fort Scott	County Landfill
40.	Foundry Dump	Hutchinson	Industrial
41.	Full Vision, Inc.	Newton	Industrial
42.	G and R Construction Co.	Kansas City	Industrial
43.	Gear County Landfill	Junction City	County Landfill
44.	General Motors Corp. Delco	Olathe	Industrial
45.	Getty Refining & Marketing Company	El Dorado	Industrial
46.	GNB Batteries, Inc.	Leavenworth	Industrial
47.	Golden Rule Refinery	Wichita	Industrial
48.	Great Lakes Container Corp.	Kansas City	Industrial
49.	Gulf Oil Chemical Jayhawk Plant	Crestline	Industrial

50.	Gulf Oil Chemical Co. Hallowell Plant	Columbus	Industrial
51.	Hi Plains Chemical Company	Menlo	Industrial
52.	Hillsboro Industries, Inc.	Hillsboro	Industrial
53.	Hutchinson City Dump	Hutchinson	City Dump
54.	Hydro Flex Corp., Inc.	Topeka	Industrial
55.	Indian Hills Landfill	Topeka	Private Landfill
56.	Johns' Sludge Pond	Wichita	Industrial
57.	Kansas Army Ammo Plant	Parsons	Industrial
58.	Kansas City Post Office and Parking Lot	Kansas City	Industrial
59.	Kansas City Refinery	Kansas City	Industrial
60.	Kansas State Penitentiary	Lansing	State Institution
61.	Kansas State University	Manhattan	State Institution
62.	Kansas University-Sunflower Research Station	Eudora	State Institution
63.	Kaw Valley Disposal	Kansas City	Industrial
64.	Kings Disposal Site	Kansas City	Industrial
65.	Lead Zinc and Mine Smelter	Baxter Springs	Industrial
66.	Leavenworth Municipal Garage Area	Leavenworth	Municipal
67.	Leavenworth Sanitary Landfill #3	Leavenworth	City Landfill
68.	Magnus Company, Inc.	Topeka	Industrial
69.	Miltonvale Landfill	Miltonvale	City Landfill
70.	National Guard Armory and Parking Lot	Kansas City	Industrial
71.	National Zinc Company	Cherryvale	Industrial
72.	Naval Air Station	Olathe	Industrial
73.	Neosho County Site #2	Chanute	City Landfill
74.	NIES	Wichita	Industrial

75.	NOVA Products	Kansas City	Industrial
76.	Olathe City Landfill	Olathe	City Landfill
77.	Old Callery Chemicals	Lawrence	Industrial
78.	Old Mobil Refinery Dump	Augusta	Industrial
79.	Old Prime Western Smelter	Gas City	Industrial
80.	Old Vickers Refinery	Potwin	Industrial
81.	Oswalt Division Bulter Mfg.	Garden City	Industrial
82.	Overland Park Landfill (Closed)	Overland Park	City Landfill
83.	Owens Corning Fiberglass	Kansas City	Industrial
84.	Phillips Petro. Greenwood	Richfield	Industrial
85.	Pioneer Electric Corp.	Ulysses	Industrial
86.	Radium Petroleum Co.	Wichita	Industrial
87.	Reid Supply Company	Wichita	Industrial
88.	Roof Farm	Solomon	Industrial
89.	Roxana Petro. Company	Arkansas City	Industrial
90.	S and G Metals	Kansas City	Industrial
91.	Saline County Landfill	Salina	County Landfill
92.	Sammy Edwards Residence	Kansas City	
93.	Scott City Shop Western Oil Trans. Company	Scott City	Industrial
94.	Shallow Water Refinery	Scott City	Industrial
95.	Shawnee County Landfill	Topeka	County Landfill
96.	Sherwin-Williams Company	Coffeyville	Industrial
97.	Soda-Ash-Waste Disposal	Hutchinson	Industrial
98.	Solomon Electric Company	Solomon	Industrial
99.	Sunflower Army Ammo.	DeSoto	Industrial
100.	Tar Creek	Cherokee County	Industrial
101.	Thompson-Hayward Chem. Co.	Kansas City	Industrial

102.	Ulysses Gas Processing Co.	Ulysses	Industrial
103.	Victorian Marble Company	Leawood	Industrial
104.	Vulcan Materials	Wichita	Industrial
105.	Wichita Brass and Alum.	Wichita	Industrial
106.	Williams Pipeline	Kansas City	Industrial
107.	Williams Pipeline	Olathe	Industrial
108.	Williams Pipeline	Topeka	Industrial

LIST OF LOWER PRIORITY SITES

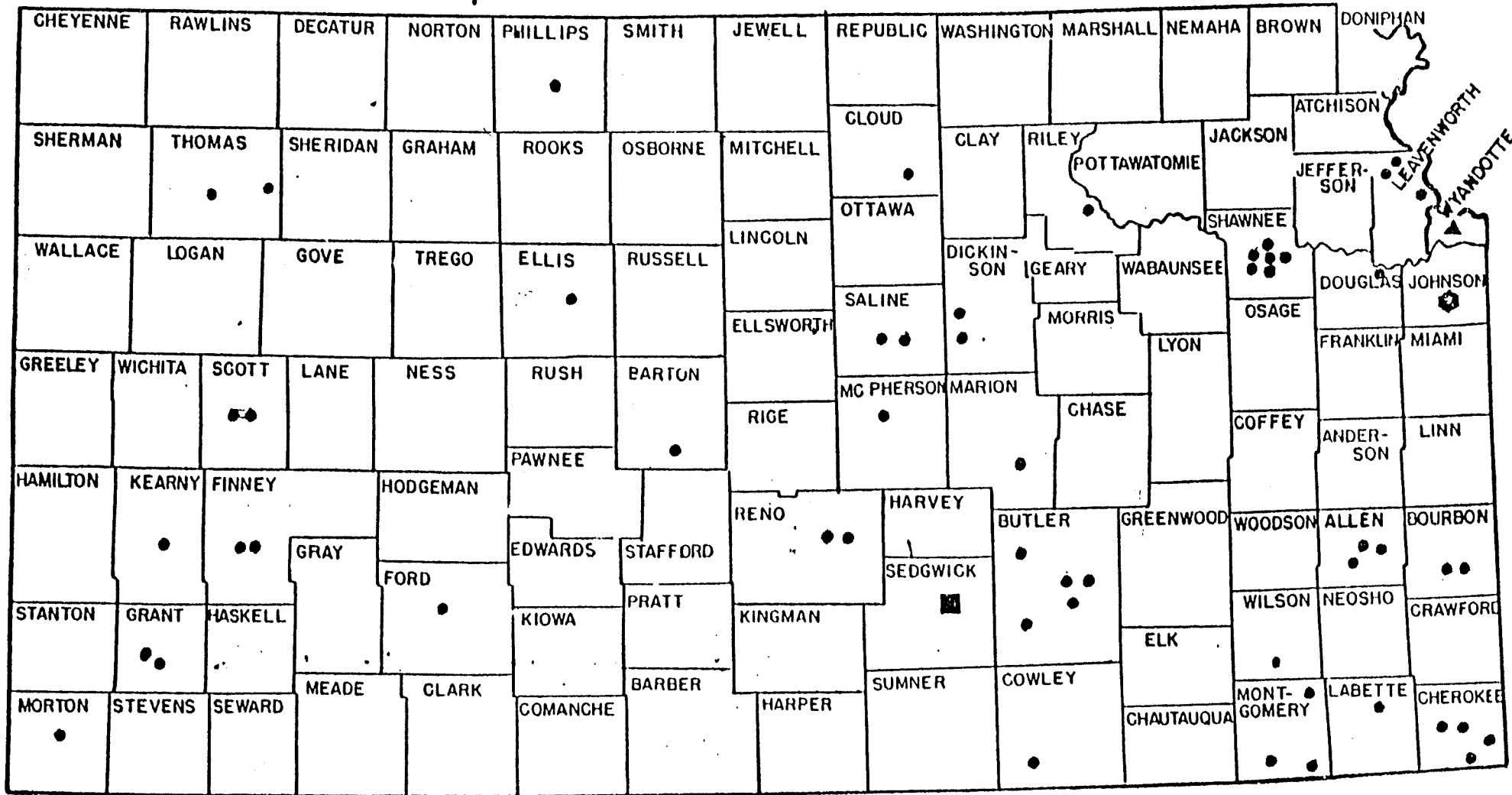
	<u>Name</u>	<u>Location</u>	<u>Type of Site</u>
1.	American Walnut Company	Kansas City	Industrial
2.	Ashland Chemical Company	Kansas City	Industrial
3.	Barber County Solid Waste	Medicine Lodge	County Landfill
4.	Barton County Landfill	Great Bend	County Landfill
5.	Benedictine College	Atchison	College
6.	Berg Manufacturing Co. Number 5	Iola	Industrial
7.	Board of Public Utilities	Kansas City	Industrial
8.	Boeing Military Airplane Landfill Site	Wichita	Industrial
9.	Bourbon County Landfill	Fort Scott	County Landfill
10.	Butler County Landfill	El Dorado	County Landfill
11.	C and W Rural Electric Coop	Clay Center	Industrial
12.	Caldwell Landfill	Pittsburg	Industrial
13.	Chemical Commodities Inc.	Shawnee	Industrial
14.	Cherokee County Landfill	Scammon	County Landfill
15.	Cities Services Company Carbon Black Plant	Ulysses	Industrial
16.	Cities Service Helex Number 1	Santana	Industrial
17.	Colby Sanitary Landfill	Colby	County Landfill
18.	Consolidated Mfg., Inc.	Hutchinson	Industrial
19.	Cowley County Sanitary Landfill	Winfield	County Landfill
20.	Deffenbaugh Disposal	Bonner Springs	County Landfill
21.	Deffenbaugh Disposal	Holliday	County Landfill
22.	Dickinson County Landfill No. 1	Abilene	County Landfill

23.	Dickinson County Landfill No. 2	Hope	County Landfill
24.	Doniphan County Sanitary Landfill	Wathena	County Landfill
25.	Dowell Company	Kansas City	Industrial
26.	Dry Stream to Arkansas River	Wichita	Industrial
27.	Dupont	Tecumseh	Industrial
28.	Edwards County Landfill	Kinsley	County Landfill
29.	Ell-Kan Company, Inc.	Ellsworth	Industrial
30.	Ellis City	Ellis	City Landfill
31.	EPA Model Landfill	Kansas City	City Landfill
32.	Farmland Industries	Lawrence	Industrial
33.	FMC Corporation	Lawrence	Industrial
34.	Goodyear Tire and Rubber Co.	Topeka	Industrial
35.	Gray County Landfill	Engalls	County Landfill
36.	Greeley County Landfill	Tribune	County Landfill
37.	H & H Welders, Inc.	Wichita	Industrial
38.	Heathwood Oil Co. Dump	Kansas City	Industrial
39.	Hilliker Oil Company	Iuka	Industrial
40.	I-635 and Missouri River Bluff Dump Site	Kansas City	Industrial
41.	Illegal Dump Site	Kansas City	Industrial
42.	International Paper Cabinet Division	Kansas City	Industrial
43.	Joe Wendell's Farm	Hutchinson	Industrial
44.	Kingman County Landfill	Kingman	County Landfill
45.	Langston Labs	Leawood	Industrial
46.	Lone Star Industries, Inc.	Bonner Springs	Industrial
47.	Marshall City Landfill	Winifred	City Landfill
48.	Marysville City Dump	Marysville	City Landfill

49.	McNally Pittsburg Foundry	Pittsburg	Industrial
50.	Miami County Sanitary Landfill	Paola	County Landfill
51.	Midwest Energy, Inc.	Hays	Industrial
52.	Missouri River Disposal Area	Leavenworth	Industrial
53.	Mobil Oil Refinery	Augusta	Industrial
54.	Mulvane Cooperative Union	Mulvane	Industrial
55.	N. R. Hamm	Perry	Industrial
56.	National Distillers & Chemical	DeSoto	Industrial
57.	Nemaha County Landfill	Seneca	County Landfill
58.	Neosho County - Site I	Chanute	Industrial
59.	Ness County Landfill	Ness City	County Landfill
60.	Nickerson City Dump	Nickerson	City Landfill
61.	Ninnescah Rural Electric Coop	Pratt	Industrial
62.	Old McDonald Oil Company	Coffeyville	Industrial
63.	Old Springhill City Dump	Springhill	City Landfill
64.	Oswego Landfill	Oswego	City Landfill
65.	Parking Lot (2925 Fairfax Road)	Kansas City	Industrial
66.	PBI Gordon, Inc.	Kansas City	Industrial
67.	Pester Refinery	El Dorado	Industrial
68.	Pratt City Dump	Pratt	City Landfill
69.	R and K Manufacturing	Hutchinson	Industrial
70.	Reño County Landfill	Hutchinson	County Landfill
71.	Riley County Landfill	Riley	County Landfill
72.	Rocky Mountain Bank Note	Lawrence	Industrial
73.	Rooks County Sanitary Landfill	Stockton	County Landfill
74.	Russell County Sanitary Landfill	Russell	County Landfill
75.	Russell Snyder Pitt	Dodge City	Industrial

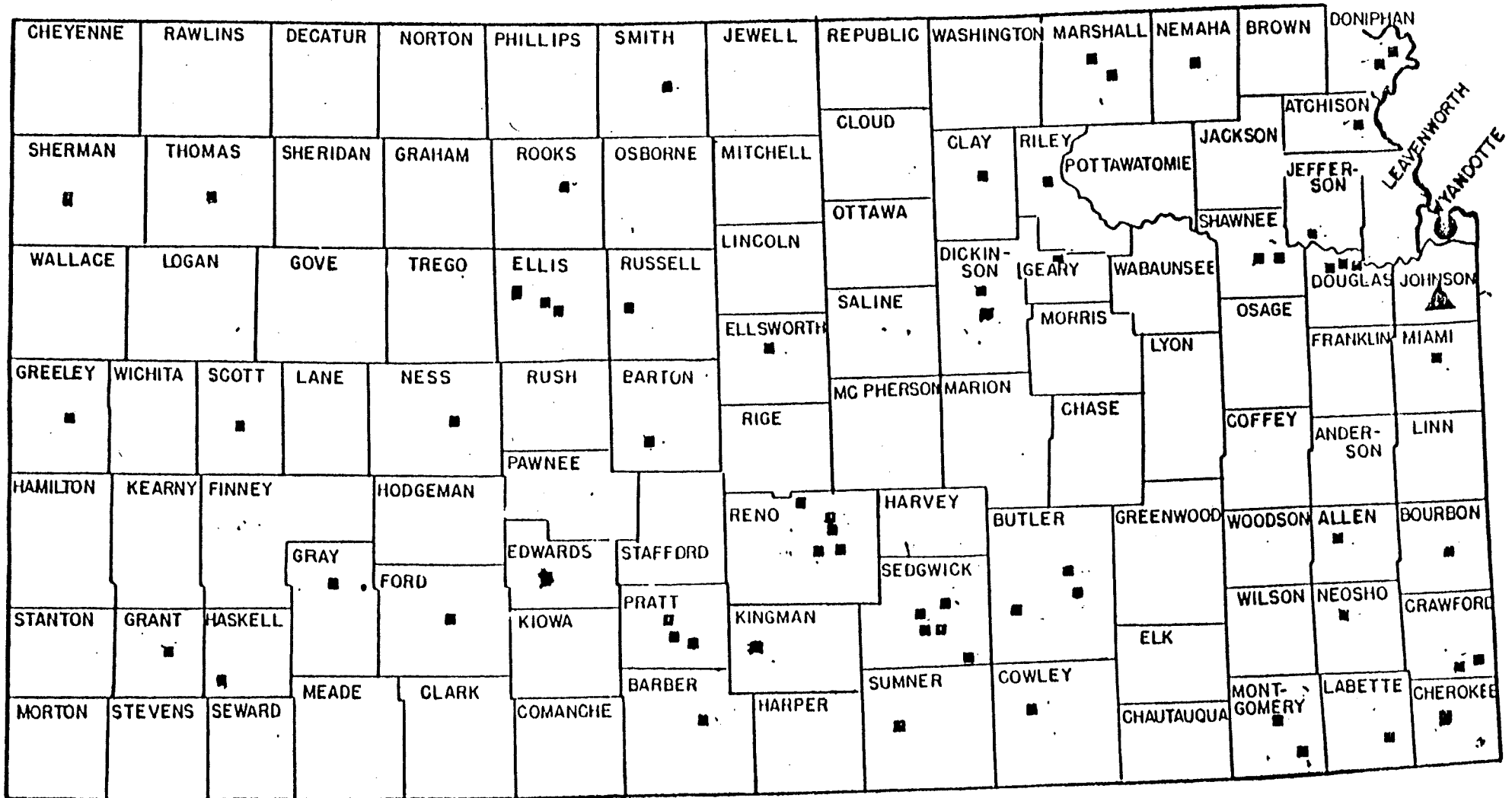
76.	S and G Metals - Site 2	Kansas City	Industrial
77.	S and G Metals - Site 6	Kansas City	Industrial
78.	S and G Metals - Site 3	Kansas City	Industrial
79.	S and G Metals - Site 4	Kansas City	Industrial
80.	S and G Metals - Site 5	Kansas City	Industrial
81.	S and G Metals - Site 1	Kansas City	Industrial
82.	S and G Metals - Site 7	Kansas City	Industrial
83.	S and G Metals - Site 8	Kansas City	Industrial
84.	Scott County Landfill	Scott	County Landfill
85.	Sherman County Landfill	Goodland	County Landfill
86.	Smith County Landfill	Smith Center	County Landfill
87.	Square Deal Iron & Metal Co.	Kansas City	Industrial
88.	Texaco Terminal	Wichita	Industrial
89.	Turkey Creek Dumping Site	Kansas City	Industrial
90.	US Railway Mfg. Operation	Junction City	Industrial
91.	Western Oil Transportation Co.	Hays	Industrial
92.	Williams Pipeline	Independence	Industrial
93.	Williams Pipeline	Wathena	Industrial

LOCATION OF HIGHER PRIORITY SITES



- ▲ Wyandotte County has 19 sites.
- Sedgwick County has 16 sites.
- Johnson County has 10 sites.

LOCATION OF LOWER PRIORITY SITES



📍 Wyandotte County has 23 sites.

📍 Johnson County has 4 sites.

NATIONAL PRIORITIES LIST SITES IN KANSAS

