

Approved

Ken Grotewiel  
Date

3/14/91

MINUTES OF THE HOUSE COMMITTEE ON ENERGY & NATURAL RESOURCES

The meeting was called to order by Representative Ken Grotewiel at  
Chairperson

7:30 a.m./~~p.m.~~ on March 8, 1991 in room 526-S of the Capitol.

All members were present except:

Representative Patrick, excused

Committee staff present:

Raney Gilliland, Principal Analyst, Legislative Research

Mary Torrence, Revisor of Statutes' Office

Pat Mah, Legislative Research

Lenore Olson, Committee Secretary

Conferees appearing before the committee:

none

The Chair thanked the staff for coming to the early meeting and announced that the minutes of February 27 and March 5 and 6, 1991, would be available in his office for any member to review.

The Chair directed the Committee to turn to HB 2409.

A motion was made by Representative Shore, seconded by Representative McClure, to pass favorably HB 2409. The motion carried.

The Chair directed the Committee to turn to HB 2171.

A motion was made by Representative Webb, seconded by Representative Correll, to amend HB 2171 by removing Section 3 and by striking it from the repealer and the title. The motion carried.

A motion was made by Representative Webb, seconded by Representative McClure, to pass HB 2171 favorably as amended. The motion carried.

The Chair directed the Committee to turn to HB 2097 and reviewed a balloon with amendments for this bill. (Attachment 1)

A motion was made by Representative Rezac, seconded by Representative McClure, to adopt the balloon amendments to HB 2097. The motion carried.

A motion was made by Representative Hendrix, seconded by Representative Shore, to amend HB 2097 to say that any other site selected for a solid waste disposal area shall be required to be located in the county where the original permitted site was located. The motion carried.

A motion was made by Representative Mollenkamp, seconded by Representative Shore, to amend HB 2097 for a New Section 3 to read "The provisions of subsection (i) (2) of K.S.A. 65-3407 and amendments thereto and section 2 shall not apply unless the city or county where the original permitted site was located agrees to reimburse the permittee for all moneys expended to obtain the permits and develop the solid waste disposal area. The motion carried.

A motion was made by Representative McClure, seconded by Representative Thompson, to pass HB 2097 favorably as amended. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENERGY & NATURAL RESOURCES,  
room 526-S, Statehouse, at 7:30 a.m.~~pm~~ on March 8, 1991.

The Chair directed the Committee to turn to HB 2025.

A motion was made by Representative McKechnie, seconded by Representative Freeman, to amend HB 2025 to add a grandfather clause. The motion carried. (Attachment 2)

A motion was made by Representative McKechnie, seconded by Representative Lynch, to pass HB 2025 as amended favorable for passage.

A motion was made by Representative Shore, seconded by Representative Hendrix, to table HB 2025. The motion failed.

A substitute motion with an amendment to HB 2025 was made by Representative Krehbiel, seconded by Representative Shore, that if secondary injection recovery is prevented, the landowner be reimbursed for his lost revenue by the city of Hays. The substitute motion failed.

The Chair directed the Committee to return to the original motion by Representative McKechnie to pass HB 2025 as amended favorable for passage. The motion carried.

The meeting adjourned.



*LANR  
3/8/91  
Attachment 1*

1 be revocable or subject to suspension whenever the secretary shall  
2 determine that the solid waste processing or disposal facility or area  
3 is, or has been constructed or conducted in violation of this act or  
4 the rules and regulations or standards adopted pursuant to the act,  
5 or is creating a hazard to persons or property in the area or to the  
6 environment, or is creating a public nuisance.

7 (h) In case any permit is denied, suspended or revoked the per-  
8 son, city, county or other political subdivision or state agency may  
9 request a hearing before the secretary in accordance with K.S.A.  
10 65-3412 and amendments thereto.

11 (i) (1) ~~No permit to construct or operate a solid waste processing~~  
12 ~~facility or solid waste disposal area, other than a renewal of an~~  
13 ~~existing permit for a facility or area already in operation, shall be~~  
14 ~~issued on or after the effective date of this act if such facility or~~  
15 ~~area is located within 1/2 mile of a navigable stream or within 1/4~~  
16 ~~mile of an intake point for any public water supply system.~~

used for interstate commerce or within one  
surface

17 (2) Any permit, issued before the effective date of this act, to  
18 construct or operate a ~~solid waste processing facility or solid waste~~  
19 ~~disposal area is hereby declared void if such facility or area is not~~  
20 ~~yet in operation and is located within 1/2 mile of a navigable stream~~  
21 ~~or within 1/4 mile of an intake point for any public water supply~~  
22 ~~system.~~

used for interstate commerce or within one  
surface

23 New Sec. 2. Any special land use permit, issued by a city before  
24 the effective date of this act, to use land for the purpose of operating  
25 a ~~solid waste processing facility or solid waste disposal area~~ is hereby  
26 declared void if such ~~facility or area~~ is not yet in operation and such  
27 land is located within 1/2 mile of a navigable stream ~~or within 1/4~~  
28 ~~mile of an intake point for any public water supply system.~~

(3) The provisions of this subsection (i) shall not be construed to prohibit: (A) Issuance of a permit for lateral expansion onto land contiguous to a permitted solid waste disposal area in operation on the effective date of this act; (B) issuance of a permit for a solid waste disposal area for disposal of a solid waste by-product produced on-site; or (C) renewal of an existing permit for a solid waste area in operation on the effective date of this act.

29 Sec. 3. K.S.A. 65-3407 is hereby repealed.

30 Sec. 4. This act shall take effect and be in force from and after  
31 its publication in the Kansas register.

surface

used for interstate commerce or within one

HOUSE BILL No. 2025

By Representative Cross

1-15

8 AN ACT concerning oil and gas; prohibiting certain wells in certain  
9 areas; prohibiting transporting of refuse from oil and gas activities  
10 in certain areas.  
11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) As used in this section, "disposal or enhanced  
14 recovery injection well" means a hole drilled for the purpose of:

15 (1) Injecting fluid, air or gas in the ground in connection with  
16 the exploration for or production of oil or gas; or

17 (2) disposing of fluids produced in connection with the exploration  
18 for or production of oil or gas.

19 (b) On and after the effective date of this act, no new disposal  
20 or enhanced recovery injection well shall be drilled within the area  
21 1/2 mile either side of the center line of the Smoky Hill River and  
22 10 miles either side of the center line of U.S. highway 183, nor  
23 shall the use of any existing well in such area be changed to a  
24 disposal or enhanced recovery injection well on or after the effective  
25 date of this act. Any approval by the state corporation commission  
26 of any such drilling or change of use of a well in such area shall be  
27 void on and after the effective date of this act.

28 (c) No salt water, oil or other refuse resulting from oil and gas  
29 activities shall be transported by pipeline or other conduit ~~across,~~ installed on or after the effective date of this act,  
30 through or under the Smoky Hill River within the area 10 miles  
31 either side of the center line of U.S. highway 183.

32 Sec. 2. This act shall take effect and be in force from and after  
33 its publication in the Kansas register.

EXNR  
3/8/91  
Attachment 2