

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson Joann Flower at 9:00 a.m. on February 5, 1998, in Room 423-S of the Capitol.

All members were present except: Representative Lloyd - excused
Representative Phelps - excused
Representative Showalter - excused

Committee staff present: Raney Gilliland, Legislative Research Department
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:
Gary Mitchell, Secretary, Department of Health and Environment

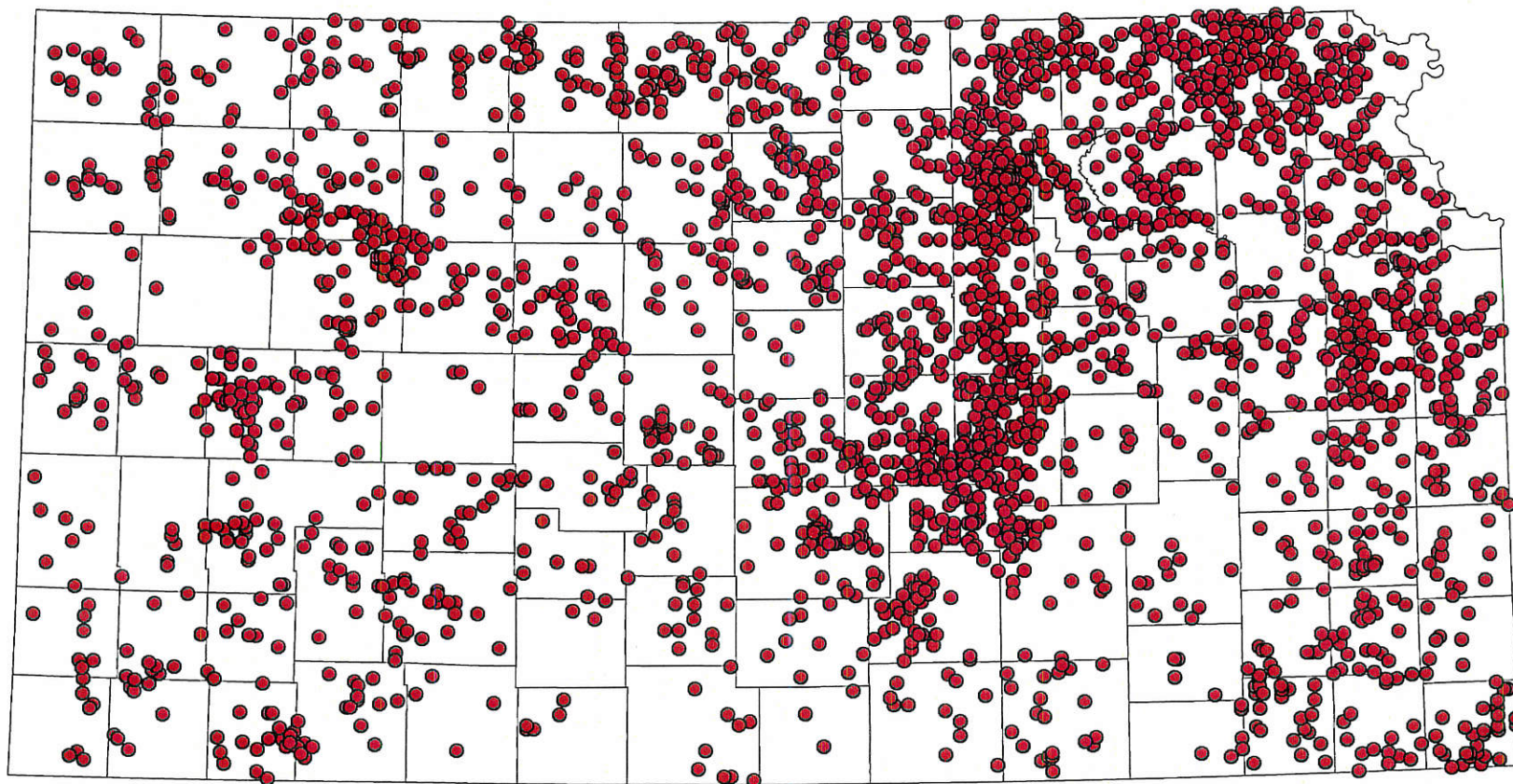
Others attending: See attached list

Secretary Gary Mitchell, Department of Health and Environment, appeared before the committee to answer additional questions concerning environmental issues related to confined animal feeding operations. In response to a request at the January 23 meeting, the Secretary provided members of the committee with color maps depicting the number, size, and location of confined animal feeding facilities in Kansas. (Attachment 1) As there had been a number of questions comparing the state of Kansas to North Carolina, he provided two charts comparing various factors related to livestock waste facilities and the environment in the two states. He took special note of the fact that North Carolina, basically, had no regulation program prior to 1995, as opposed to Kansas that has had animal waste regulations since 1968. (Attachment 2) He also provided a chart comparing current regulations in Kansas with federal EPA regulations, noting that Kansas' regulations are more stringent. (Attachment 3)

Secretary Mitchell suggested that, like the HACCP position created at K-State and funded by the Department of Agriculture to work with the small state-inspected meat processors, the legislature might consider funding someone to travel around the state to work with the small and mid-size producers to assist them in reaching compliance with Kansas' environmental regulations.

The meeting adjourned at 10:00 a.m. The next meeting is scheduled for February 9, 1998.

ALL CAFO* FACILITIES



*Confined Animal Feeding Operation

DATA SOURCES:

Feedlots: KDHE (11/97)

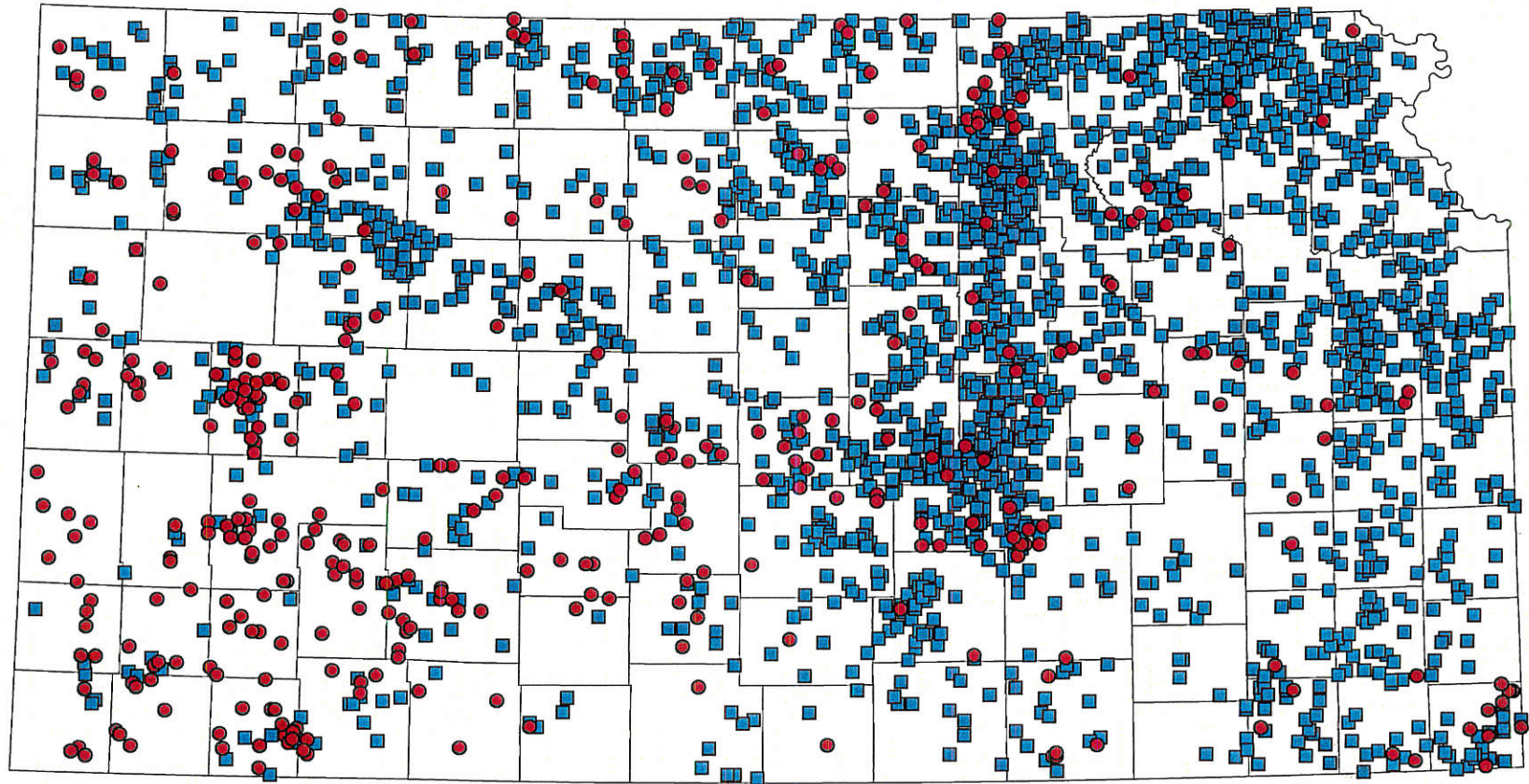
Political boundaries: KCDB/KGS

KDHE BEFS/OIS Nov. 1997 DRAFT



*Kansas Agriculture Committee
February 5, 1998
Attachment 1*

ALL CAFO* FACILITIES



DATA SOURCES:

Feedlots: KDHE (11/97)

Political boundaries: KCDB/KGS

KDHE BEFS/OIS Nov. 1997 DRAFT



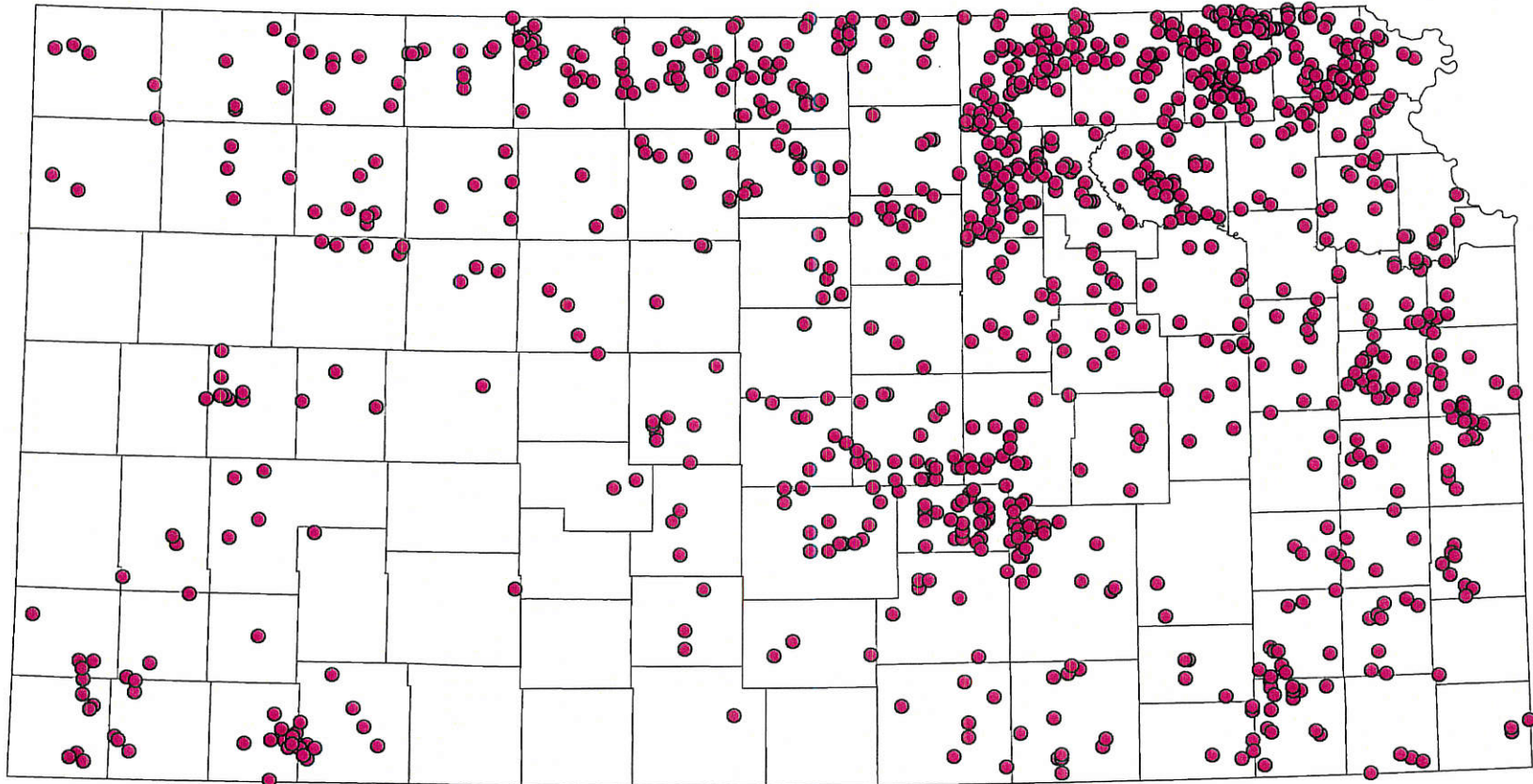
- state permitted/certified
- NPDES** permitted
- County boundary

*Confined Animal Feeding Operation

**National Pollutant Discharge Elimination System

2-1

PERMITTED HOG FACILITIES

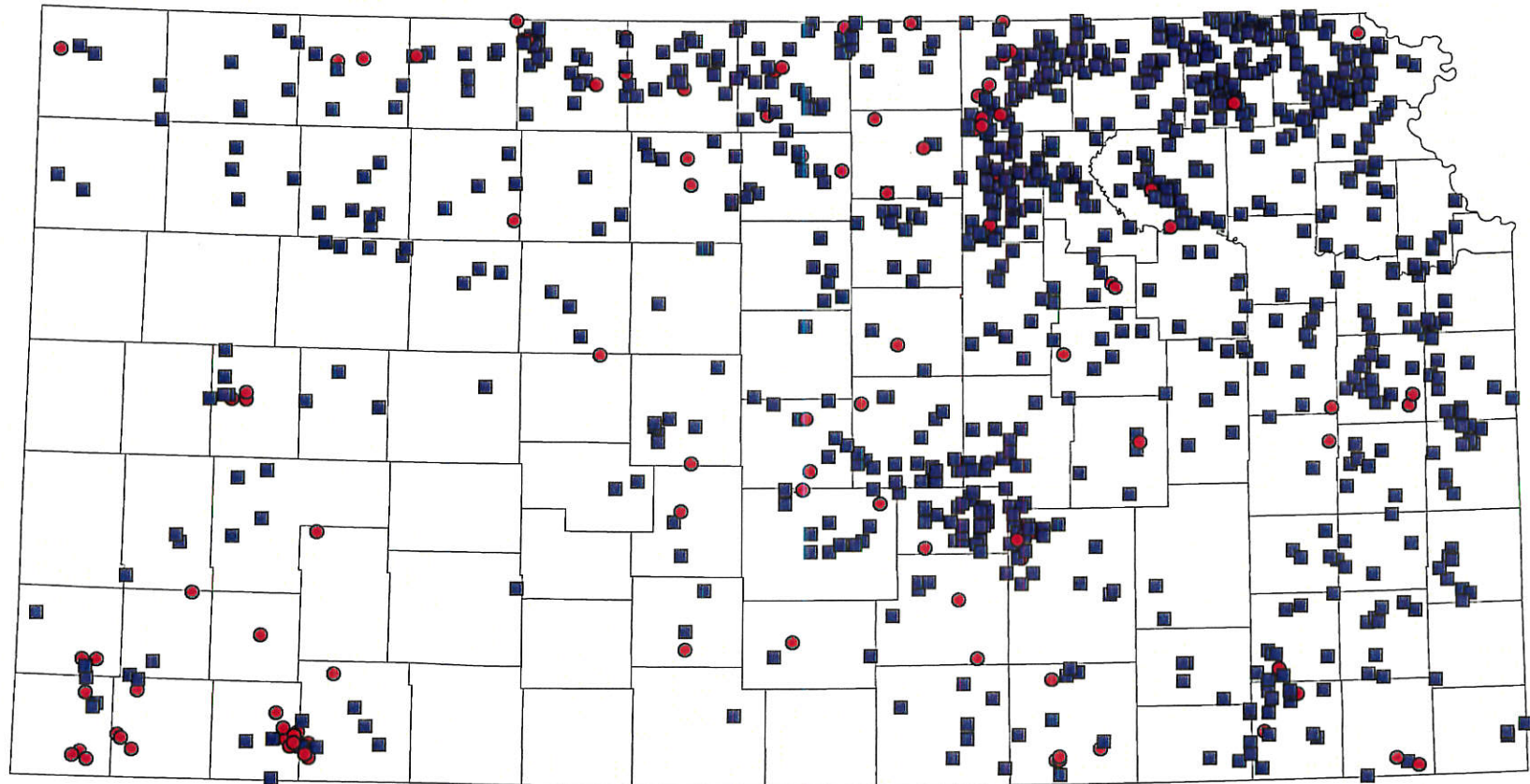


DATA SOURCES:

Feedlots: KDHE (11/97)
Political boundaries: KCDB/KGS

KDHE BEFS/OIS Nov. 1997 DRAFT

PERMITTED HOG FACILITIES



DATA SOURCES:

Feedlots: KDHE (11/97)
Political boundaries: KCDB/KGS

KDHE BEFS/OIS Nov. 1997 DRAFT

Swine feedlots:

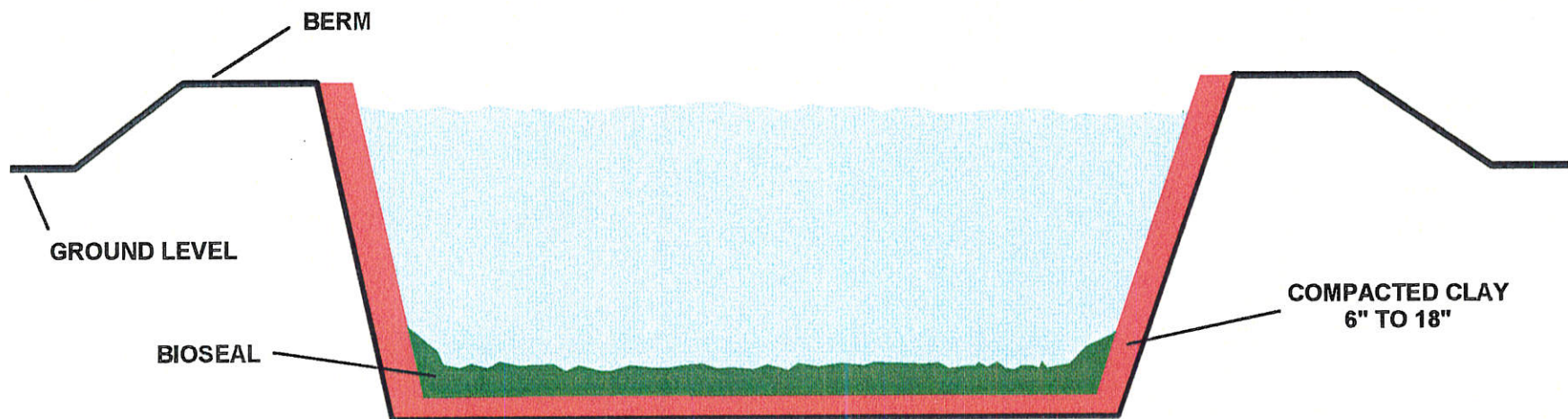
- state permitted/certified (under 1,000 AU)
- NPDES* permitted (over 1,000 AU)
- County boundary



*National Pollution Discharge Elimination System

fr-1

LIVESTOCK WASTE CONTAINMENT FACILITY



SAFETY FEATURES

1. water level 2' down from top of berm
2. capacity for 25 year rainfall event
3. management plan to drawdown prior to rainy season

KANSAS/NORTH CAROLINA

	Rainfall Inches/Year	Evaporation Rates*	1996 Cropland Harvested	Total Head of Livestock	Total # of Farms
Kansas	16" - 40"	44" - 62"	20,899,000	8,150,000	66,000
North Carolina	44" - 60"	36" - 40"	4,154,000	10,513,200	39,600

*Mean Annual Lake Evaporation

Reference Documents Include the Following:

Midwest Plan Service-Livestock Waste Facilities Handbook
 1997 Kansas Farm Facts
 1997 North Carolina Agricultural Statistics

Kansas Agriculture Committee
 February 5, 1998
 Attachment 2

KANSAS / NORTH CAROLINA

	KANSAS	NORTH CAROLINA
Regulated CAFO Facilities:		
NPDES	380	0
State	1482	3800 permit by rule.
Certifications	1106	---
Program initiated:		
Federal	1974	---
State	1968	Prior to 1995 permit by rule. 1996 - Permit swine \geq 250 hd. 1977 - Permit livestock for swine \geq 250 hd., cattle \geq 100 hd., etc.
Size to register:	\geq 300 AUs or any size with pollution potential	\geq 250 hd. swine \geq 100 hd. cattle
Size to permit:		
Federal	EPA criteria.	---
State	\geq 1000 AUs; 300-999 AUs and pollution potential; Any size with pollution potential.	\geq 250 hd. swine \geq 100 hd. cattle
Public Notice:		
Federal	30 days	---
State	30 days	Adjoining property owners of swine facilities only.
Site appraisal:	Yes	No
Post construction inspection:	Yes	Certified by non-department specialist i.e., NRCS or consultant.
Groundwater monitoring:	Yes	No
Groundwater separation distance:	10 ft.	No standard.
Separation distance to homes:	\geq 1000 AUs-4000 ft. 300 - 999 AUs - 1320 ft.	1500 ft.
Minimum Standards of design:	Yes	Yes (NRCS)
Review/approve plans and specs:	Yes	No - Will start in 1998.
Lagoon Storage criteria (dry weather):	120/180 days	180 days

	KANSAS	EPA
Program initiated:	1968 - State 1974 - Federal	1974 - Federal
Size to register:	≥ 300 AUs or pollution potential	NPDES registration not <u>required</u> .
Size to permit:	≥ 1000 AUs; 300 - 999 AUs with pollution potential; Any size with pollution potential.	NPDES Permits not required. ≥ 1000 AUs; 300 - 999 with direct discharge or manmade conveyance; or any size with pollution potential
Public notice:	30 days	30 days - Individual permit. No PN for general permit per facility.
Site appraisal:	Yes	No
Post construction inspections:	Yes	No
Groundwater monitoring:	Yes	No
Groundwater separation distances	Yes	No
Separation distances from homes	Yes	No
Minimum standards of design.	Yes	No
Review/Approval of construction plans.	Yes	No
Storage criteria	120/180 days + 25 yr. - 24 hr. storm	No discharge from 25 yr. - 24 hr. storm.

*House Agriculture Committee
February 5, 1998
Attachment 3*