

Approved: 2-4-99
Date

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on January 26, 1999 in Room 423-S of the Capitol.

All members were present except: Rep. Henry Helgersen - excused
Rep. Lisa Benlon - excused
Rep. Tom Sloan - excused
Rep. Dennis McKinney - excused

Committee staff present: Raney Gilliland, Legislative Research Department
Mary Torrence, Revisor of Statutes
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee: Ronald F. Hammerschmidt, PhD, Director, Division of Environment, Kansas Department of Health and Environment, Building 740, Forbes Field, Topeka, KS 66620-0111

Others attending: See attached list

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. She announced there had been minutes of the January 14 and 19 meetings distributed for committee members to review. She introduced Rep. Gary Hayzlett and Rep. Al Lane, who were in attendance with bill requests. She reviewed the agenda for the next meeting, January 28. There will be possible committee and agency bill requests, also a hearing on **HB 2021: An act concerning rendering plants; relating to acceptance of certain refuse.** The Kansas Water Office will review water issues such as Water Distribution and Water Banking, also, a review of Water Marketing Contracts.

Chairperson Freeborn recognized Rep. Gary Hayzlett. He requested a bill that amends the county home rule exception that was in the 1998 **HB2950**.

Rep. Dan Johnson made a motion to introduce the bill. Rep. Becky Hutchins seconded the motion. Motion carried.

The Chairperson recognized Rep. Al Lane. He requested a bill that would have the same reciprocity with Missouri that Kansas has with Texas for fishing licenses for people over 65.

Rep. Ted Powers made a motion the bill be introduced. Rep. Gerry Ray seconded the motion. Motion carried

Chairperson Freeborn distributed copies of a committee bill to be requested that would help water patrol enforcement. (See attachment 1).

Rep. Vaughn Flora made a motion a bill to help water patrol enforcement be introduced. (attachment 1) Rep. Gerry Ray seconded the motion. Motion carried.

Chairperson Joann Freeborn requested a bill similar to the 1998 **HB2901** that places certain requirements on the transportation of high level radio active waste.

Rep. Vaughn Flora made a motion the bill placing certain requirements on the transportation of high level radio active waste be introduced. Rep. Becky Hutchins seconded the motion. Motion carried.

Chairperson Joann Freeborn requested a bill for Rep. Tom Sloan concerning a multipurpose small lake program.

Rep. Vaughn Flora made a motion the bill concerning a multipurpose small lake program be introduced. Rep. Tim Tedder seconded the motion. Motion carried.

The Chairperson recognized Dr. Ronald Hammerschmidt, Director, Division of Environment, KDHE. He requested a bill concerning solid waste; authorizing disposal of certain wastes without a permit.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 423-S Statehouse, at 3:30 p.m. on January 26, 1999.

Rep. Dan Johnson made a motion the bill by KDHE concerning solid waste; authorizing disposal of certain wastes without a permit be introduced. Rep. Clay Aurand seconded the motion. Motion carried.

Dr. Hammerschmidt requested a bill concerning solid waste; relating to certain permits.

Rep. Becky Hutchins made a motion the bill by KDHE concerning solid waste; relating to certain permits be introduced. Rep. Melvin Minor seconded the motion. Motion carried.

Rep. Sharon Schwartz made a motion a bill be introduced to waive the transfer fee for hunt on your own land deer permits and give Department of Wildlife and Parks the authority to hold controlled deer hunts in areas where the deer population cannot be controlled by other methods. Rep. Clay Aurand seconded the motion. Motion carried.

Chairperson Freeborn welcomed Dr. Hammerschmidt, Director, Division of Environment, KDHE, to the committee. He presented a review of the 1998 Annual Reports to the Legislature. (See attachment 2) He had overhead views of these reports and briefed the committee on each; the Aboveground Storage Tank Trust Fund Activities; The Underground Storage Tank Fund Activities; Annual Program Report for the Voluntary Cleanup and Property Redevelopment Program; Status of Drycleaning Environmental Response Act; Kansas Household Hazardous Waste Program; Kansas Waste Tire Management Program; Kansas Public Water Supply Loan and Kansas Water Pollution Control Revolving Loan Fund. A staff member in attendance, Rodney Geisler, PE, Chief Municipal Programs, Bureau of Water, KDHE, answered committee questions concerning funding. Staff members in attendance, David Waldo, PE, Environmental Engineer, Bureau of Water, KDHE, answered committee questions concerning loans and Bill Bider Director, Bureau of Waste Management, KDHE, discussed the costs in the waste tire management program.

Dr. Hammerschmidt gave an update to the committee on the mercury clean up program which has been done at a relatively low cost. A ton of mercury was collected and disposed of. Questions and discussion followed.

Chairperson Freeborn thanked Dr. Hammerschmidt and staff for their presentation.

The meeting adjourned at 5:05 p.m.

The next meeting is scheduled for January 28, 1999.

I would like a committee bill introduced that would help water patrol enforcement.

Boats with holding tanks for raw sewage are, in some cases, dumping sewage into Kansas lakes instead of using dump stations to empty the contents.

I would like a bill that would propose some efforts to help Wildlife and Parks identify those individuals who are polluting the waters and provide them some means of enforcing the current laws. Also, we need to encourage the Corp of Engineers/Wildlife and Parks to get dump stations at the reservoirs that do not currently have dumping stations for boats.

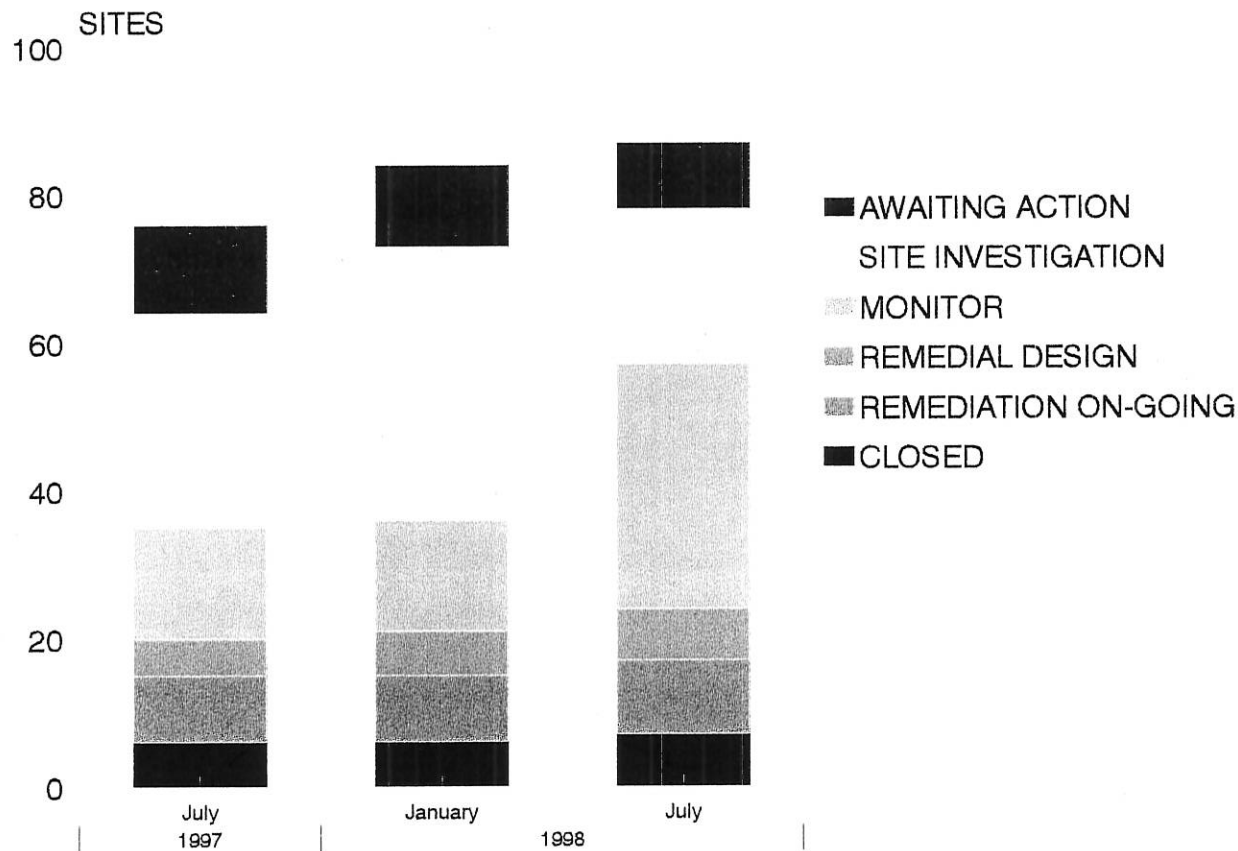
Sailboats, cruisers and houseboats will be involved.

I hope to be meeting with W&P, State Water Office and Dept of H & E in the next day or two and can then instruct the revisor as to what I want in the legislation.

Thanks.

*House Environment
1-26-99
Attachment 1*

ABOVEGROUND STORAGE TANK TRUST FUND 1998 PROGRAM ACTIVITIES



House Environment
1-26-99
Attachment 2

UNDERGROUND STORAGE TANK TRUST FUND 1998 PROGRAM ACTIVITIES

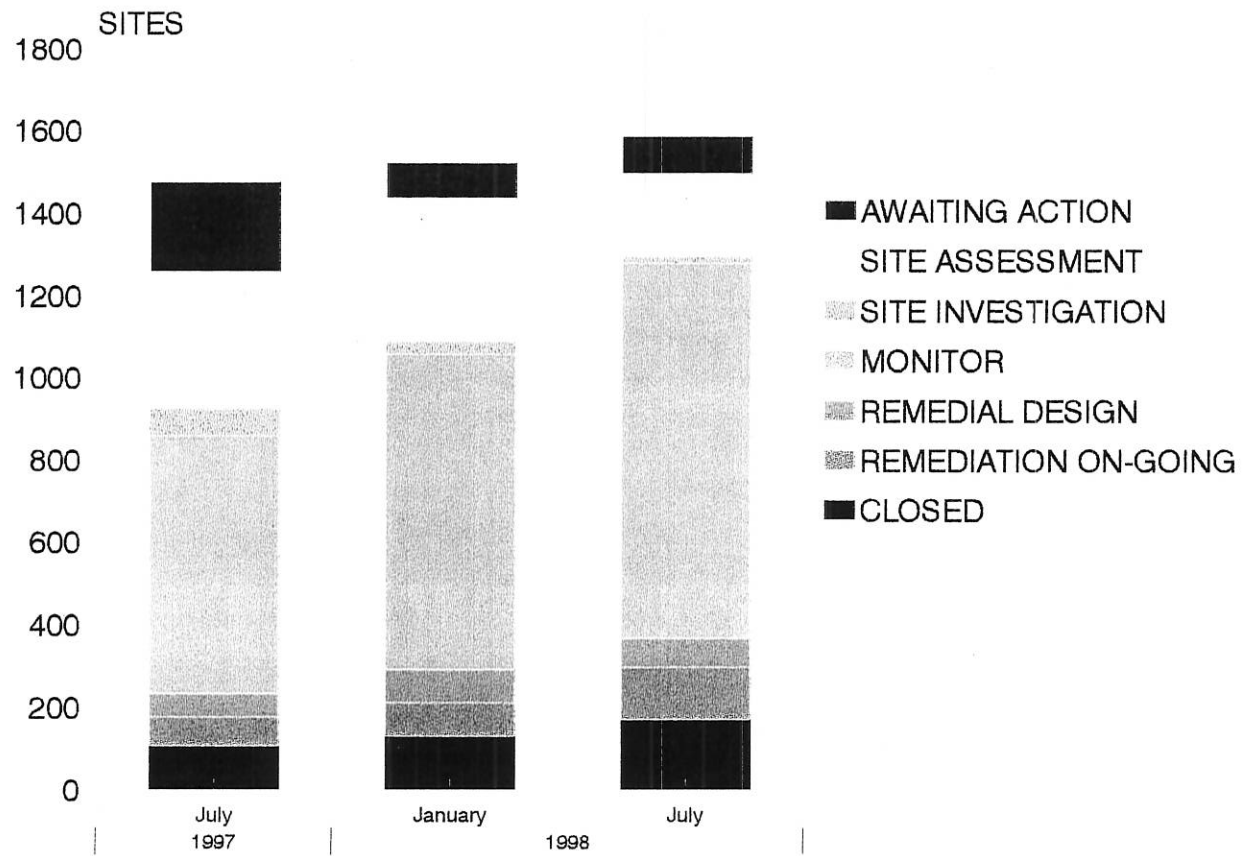


TABLE 1
SUMMARY OF VOLUNTARY APPLICATIONS

Applicant Category	Contaminant Class Category				Total of Category
	Class I	Class II	Class III	Class IV	
Agri-Business	0	0	5	14	19
Industry	0	1	9	5	15
Commercial	4	0	0	1	5
Oil/Gas Related	0	0	2	7	9
Prospective Purchaser	0	0	0	0	0
Governmental Entity	0	0	0	0	0
Private Citizen	0	1	0	0	1
Railroad Related	0	0	3	5	8
Other	0	0	0	0	0
Class Category Total	4	1	19	32	

TOTAL APPLICATIONS: 57

TABLE 2
SUMMARY OF VOLUNTARY ACTIONS

Type of Action	Contaminant Class Category				Total of Category
	Class I	Class II	Class III	Class IV	
Applications Denied	0	0	0	0	1
Applications Approved	4	2	19	31	56
Vol. Agreements Signed	3	1	18	24	46
Vol. Investigation	0	0	8	11	19
Vol. Cleanup Underway	0	0	2	1	3
Vol. Cleanup Complete	0	0	0	0	0
Site in Monitoring	0	0	1	0	1
NFA Letter Issued	2	0	1	0	3

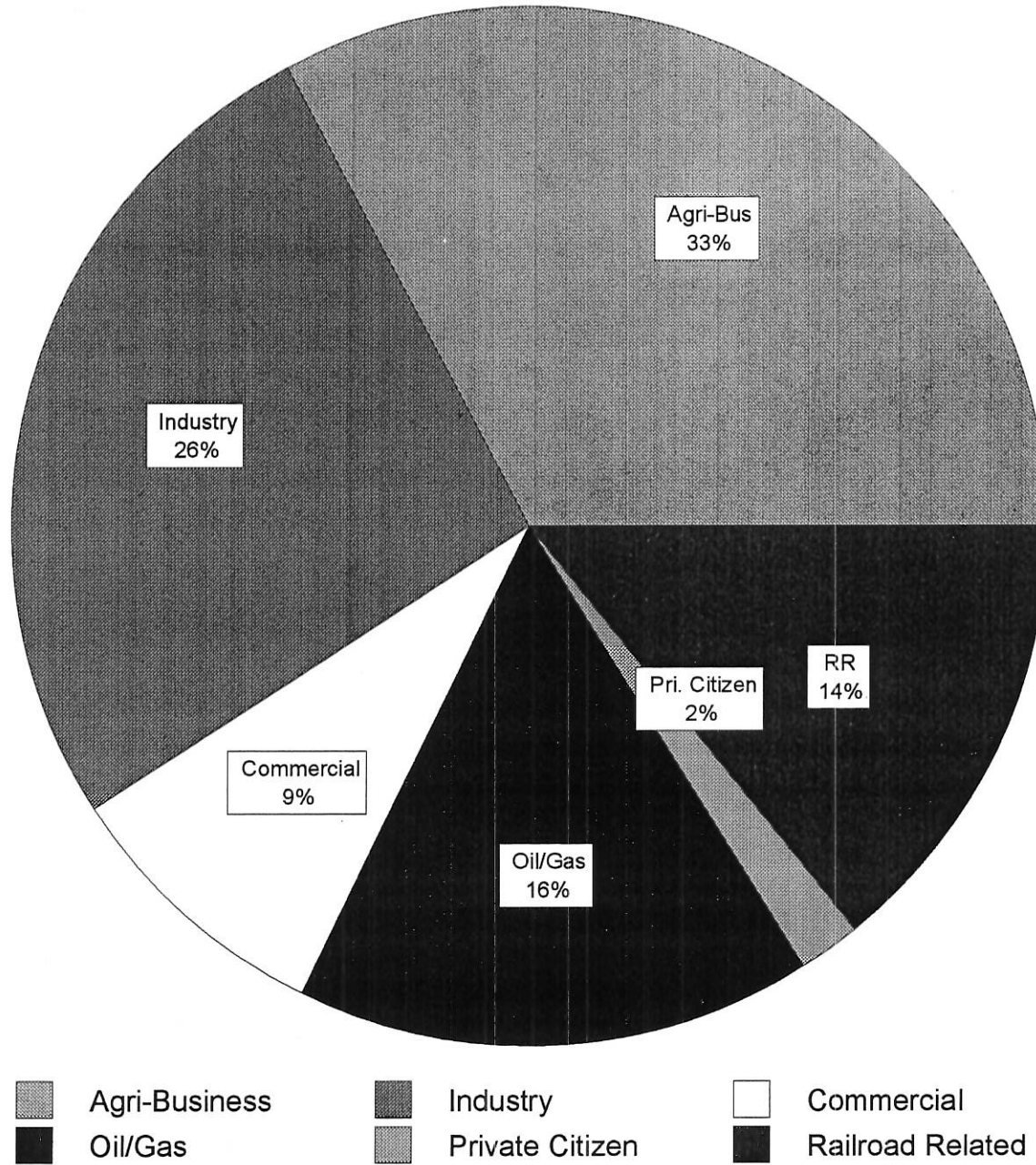
Definitions: "Class one contamination (Class I)" means suspected or confirmed contamination is determined to exist on the eligible property, and the eligible property is not a source of contamination or is located adjacent to a property with a known source of contamination.

"Class two contamination (Class II)" means suspected or confirmed soil contamination is determined to exist on the eligible property, there is no known or suspected soil contamination emanating off the eligible property and there is no known or suspected ground water contamination.

"Class three contamination (Class III)" means suspected or confirmed soil or ground water contamination, or both, is determined to exist on the eligible property, and there is no known or suspected soil or ground water contamination that has migrated off the eligible property.

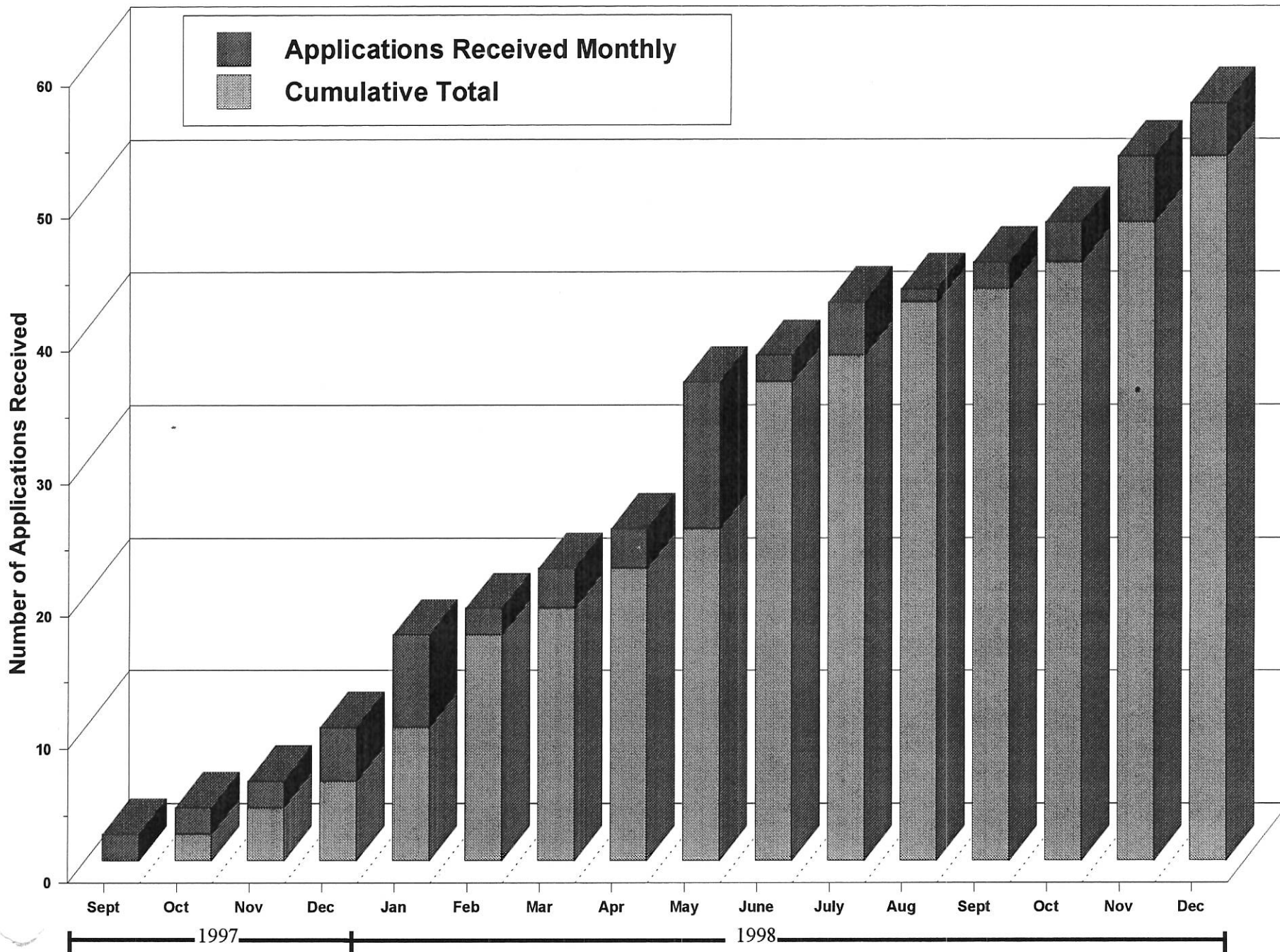
"Class four contamination (Class IV)" means suspected or confirmed soil or ground water contamination, or both, and the contamination exists on and off the eligible property.

Figure 2 - Summary of VCPRP Applicant Categories

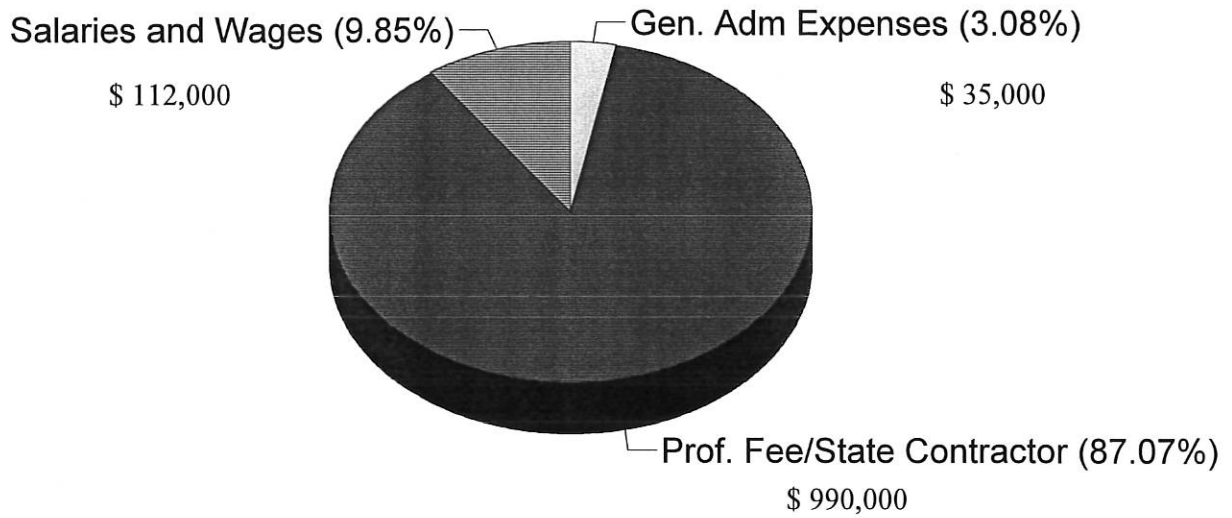


Other applicant categories with 0% include prospective purchaser and governmental entity.

Figure 1 - Cumulative Total of Applications Received



General Annual Expenses for the Drycleaning Release Trust Fund

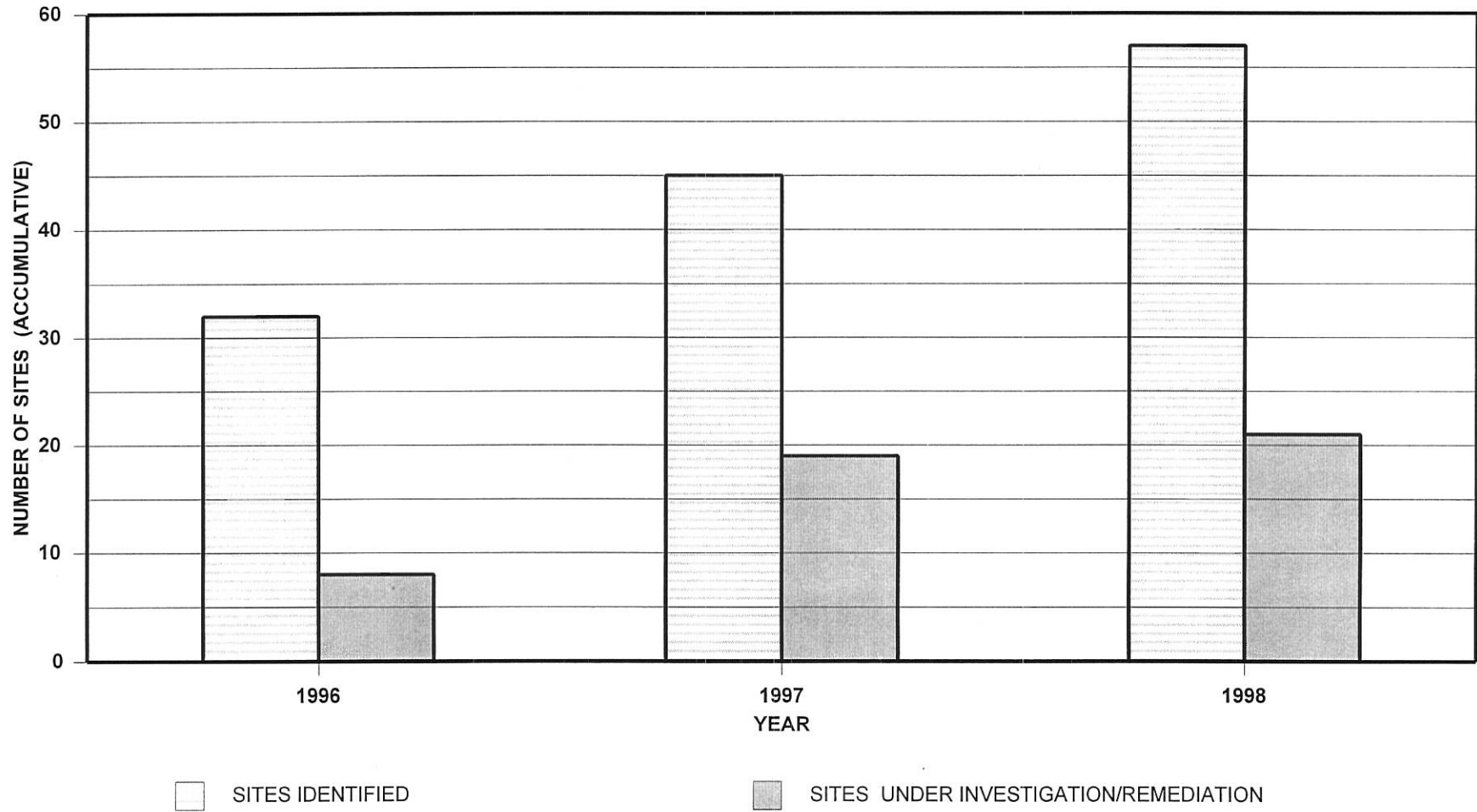


Total General Annual Expenses : \$ 1,137,000

Attachment 2

2-7

KANSAS DRYCLEANING SITES



8

Kansas Water Pollution Control Revolving Fund (Clean Water SRF)*

Startup 1989

Authorization: Federal Clean Water Act (1987)
K.S.A. 65-3321

EPA \$: 129 Million
State Match Bond \$: 26 Million (20% required)
State Leverage Bond \$: 137 Million (over match)
Total Fund Assets \$303 Million

Future Anticipated EPA Cap Grants (FFY 1999-2003): \$45 Million
Future State Match needed: \$ 9 Million
Future Anticipated Leveraging Bonds - Nov. 1999: \$41 Million for Lawrence

\$ Loaned: \$278 Million
Loans: 118
Rates: Set by Regulation; 60% of 20 Bond Buyer Index

Points of Interest:

- Project funding by priority based on public health and environmental need.
- Independent audit since 1995.
- Loan program, not a grant.
- Rate approximately 3%.
- Large project needs drive leveraging bonds.
- Top administrative priority to capture federal dollars and prompt payments to municipalities.
- In future, fund can be used for nonpoint source pollution.

*Status as of 9/30/98

K. Muedener
KDHE/BOW - 01/20/99

**KANSAS WATER POLLUTION CONTROL REVOLVING FUND
LOANS MADE**

Project	Loan Agreement	Project	Loan Agreement
Johnson County		City of Rose Hill	675,000.00
- Mission Main Phase IV	4,902,966.07	City of Osawatomie	1,556,580.00
-Turkey Creek Phase II	3,069,300.00	City of Ellinwood	2,030,000.00
-Indian Creek Lower Basin	3,146,378.29	City of Kensington	208,959.29
Phase III		City of Colwich	1,055,493.82
-Turkey Creek Phase III	3,543,860.18	City of Hiawatha	450,000.00
-Indian Creek Lower Basin	1,752,469.17	City of Winfield	6,700,000.00
Phase IV		City of Wamego	2,269,000.00
- Mill Creek	47,190,000.00	City of Towanda	776,778.00
- Blue River	14,300,000.00	City of Delphos	350,267.02
City of Milford	302,067.65	City of Conway Springs	470,000.00
Reno County	354,103.59	City of Ellis	1,113,200.00
City of Holton	1,828,713.00	City of Maize	2,900,000.00
City of Meriden	540,000.00	City of Hoyt	702,991.00
City of Louisburg	871,100.00	City of Kansas City	531,041.00
Shawnee County	996,800.00	City of Gardner	2,331,950.00
- Sewer District No. 42		City of Marysville	2,775,000.00
Shawnee County-Halfday Creek	2,801,200.00	City of Chetopa	376,000.00
City of Silver Lake	340,452.65	City of Garnett	768,900.00
City of Spring Hill	776,042.56	City of Council Grove	811,840.00
City of Edna	69,800.00	City of Kansas City	3,322,871.00
City of Hays	5,516,363.82	City of Olathe	3,202,000.00
City of Tonganoxie	671,500.00	City of Frontenac	2,400,000.00
City of Baldwin City	300,558.51	City of Highland	633,725.00
City of Independence	507,264.72	City of Winchester	210,500.00
City of Carbondale	713,320.00	City of Kansas City	12,302,590.00
City of Oswego	273,500.00	City of Great Bend	5,590,000.00
City of Topeka	29,835,125.00	City of Plainville	750,000.00
North Topeka		City of Madison	570,000.00
City of Topeka-Halfday Creek	1,268,700.00	City of Humboldt	1,200,000.00
City of Topeka-West Branch	4,828,002.00	City of Williamsburg	260,000.00
City of Leon	455,930.00	City of Wakefield	285,000.00
City of Lenora	128,598.01	City of Waverly	196,100.00
City of Eureka	3,138,478.01	City of Dearing	150,000.00
City of Hillsboro	443,000.00	City of Douglass	721,500.00
City of Ashland	651,000.00	City of Mayetta	200,000.00
City of Washington	574,338.07	City of Oxford	380,000.00
City of Oskaloosa	369,266.70	City of Pratt	1,909,000.00
City of Sedan	236,000.00	City of Abilene	850,000.00
City of Parsons	1,023,543.89	City of Clay Center	425,000.00
City of Olathe	542,545.26	City of Garden City	14,661,000.00
City of Scranton	225,000.00	City of Topeka-Water Plant	9,331,562.00
City of Hutchinson	1,311,490.00	City of Topeka-Oakland	4,330,136.00
City of Maple Hill	318,930.00	City of Coffeyville	2,864,200.00
City of Girard	1,486,104.99	City of Coffeyville	9,909,540.00
City of McPherson	1,076,000.00	City of Coffeyville	1,072,000.00
City of Beloit	2,760,920.00	City of LaHarpe	760,000.00
City of Burlington	633,630.00	City of Minneapolis	460,000.00
City of S. Hutchinson	2,123,510.00	City of Quenemo	306,400.00
City of Olathe	686,460.85	City of Osawatomie	2,665,400.00
City of Baldwin City	450,537.93	City of Alma	400,000.00
City of Russell	2,500,000.00	Riley County	200,000.00
City of Lindsborg	1,150,000.00	City of Eudora	4,000,000.00
City of Independence	418,305.66	City of Sedgwick	232,859.00
City of Cimarron	899,093.00	City of Baldwin City	400,000.00
City of Hillsboro	399,577.86	City of Basehor	3,160,551.00
City of Olathe	3,663,045.35		
		Total	277,529,826.92

Water Works State Revolving Fund (SRF)

Startup 1997

Authorization: Safe Drinking Water Act
K.S.A. 65-163d thru 163u
1998 SB 487

EPA \$: 24 Million
State Match Bond \$: 5 Million
State Leverage Bond \$: 80 Million

\$ Loaned: 52 Million
Loans: 19
Rates: 80% market, 20 years

Points:

- Priority system and list
- Rate about 4%
- Leverage-Overmatch – needs
- State contributes \$1 million/year, 5 years (SB487, 1998)
- New staff lost, 4 FTEs
- Close coordination with CDBG and RD
- Financial reviews - contract with KRWFA

K. Mueldener
KDHE/BOW - 01/20/99

Water Works SRF Loans Offered and Accepted

Alma	\$ 580,000
Finney CO RWD #1	2,552,560
Garden City	5,907,410
Johnson CO RWD #6C	1,239,437
Leavenworth CO RWD #1C	2,253,521
McLouth	1,132,133
PWWSO #4	1,141,353
Salina	3,600,000
Spivey	78,000
Goodland	2,500,000
Miami CO RWD #2	5,050,464
Marion CO RWD #4	1,855,690
Valley Center	3,202,000
Shawnee CO RWD #3	1,408,450
Johnson CO RWD #7	1,126,760
Newton	1,956,296
Parsons	9,200,000
Emporia*	1,700,000
Abilene*	<u>5,749,000</u>
	\$51,931,073

*expected in January 1999

BOW 1-20-99

**Water Work SRF
Loans Offered
Planned for "99"**

PWWSD #17	\$3,334,455
Burden	280,000
Severy	143,624
Raymond	60,000
Sylvan Grove	170,000
Hugoton	400,000
Logan	650,000
Stockt	2,500,000
Baxter Spring	2,300,000
Crawford CO RWD #5	700,000
Washington CO RWD #2	445,000
Osawatomie	2,000,000
Butler CO RWD #5	1,000,000
Butler CO RWD #8	887,875
Edgerton	695,000
Harvey CO RWD #1	443,750
Chetopa	768,800
Eureka	691,000
Marshall CO RWD #3	400,000
Russell	1,425,000
Syracuse	220,000
Winfield	2,926,155
Cimarron	1,522,500
Franklin CO RWD #5	120,000
Leavenworth CO RWD #9	1,470,900
Rice CO RWD #1	<u>135,000</u>
	\$26,189,059

BOW 1-20-99



Waste Tire Management Fund Status



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Fiscal Year	Revenue	Grants and Contracts	Program Costs
1991	\$736,173	\$0	\$0
1992	\$1,105,070	\$0	\$108,587
1993	\$1,178,070	\$902,099	\$109,311
1994	\$1,137,022	\$625,084	\$62,424
1995	\$1,206,147	\$1,930,350	\$101,266
1996	\$1,258,778	\$1,125,867	\$171,106
1997	\$1,290,667	\$614,947	\$162,187
1998	\$1,315,121	\$555,861	\$189,181
1999	\$727,390*	\$474,002*	\$91,146*
Total	\$8,639,318	\$6,228,210	\$995,208

*Through January 1, 1999



Waste Tire Grant Financial Summary



Fiscal Year	County Programs		Regional Programs		Yearly Total
	Base	Abatement	Base	Abatement	
1993	\$251,289	\$200,000	\$315,810	\$140,000	\$907,099
1994	\$55,854	\$94,265	\$278,527	\$196,437	\$625,083
1995	\$299,911	\$1,452,814	\$0	\$255,924	\$2,008,649
1996	\$374,324	\$360,010	\$283,992	\$107,540	\$1,125,866
1997	\$44,747	\$0	\$175,000	\$0	\$219,747
1998	\$0	\$555,860	\$0	\$0	\$555,860
Total	\$1,026,125	\$2,662,949	\$1,053,329	\$699,901	\$5,442,304

*By direct state contract

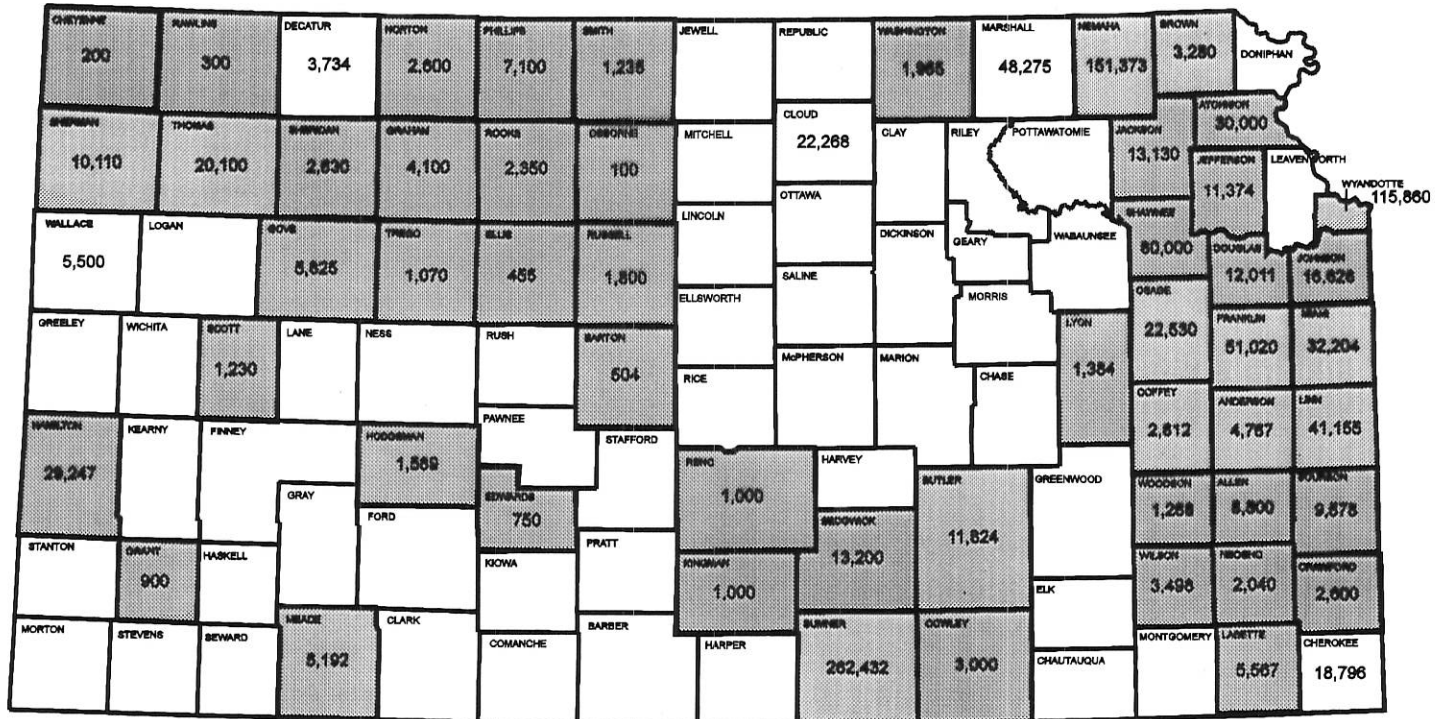


Waste tire Accumulations Reported to KDHE



2-15

1997 - Nov. 1998 Amounts in Passenger Tire Units



Awaiting Cleanup
 Cleanup Complete
 Cleanup Has Been Started

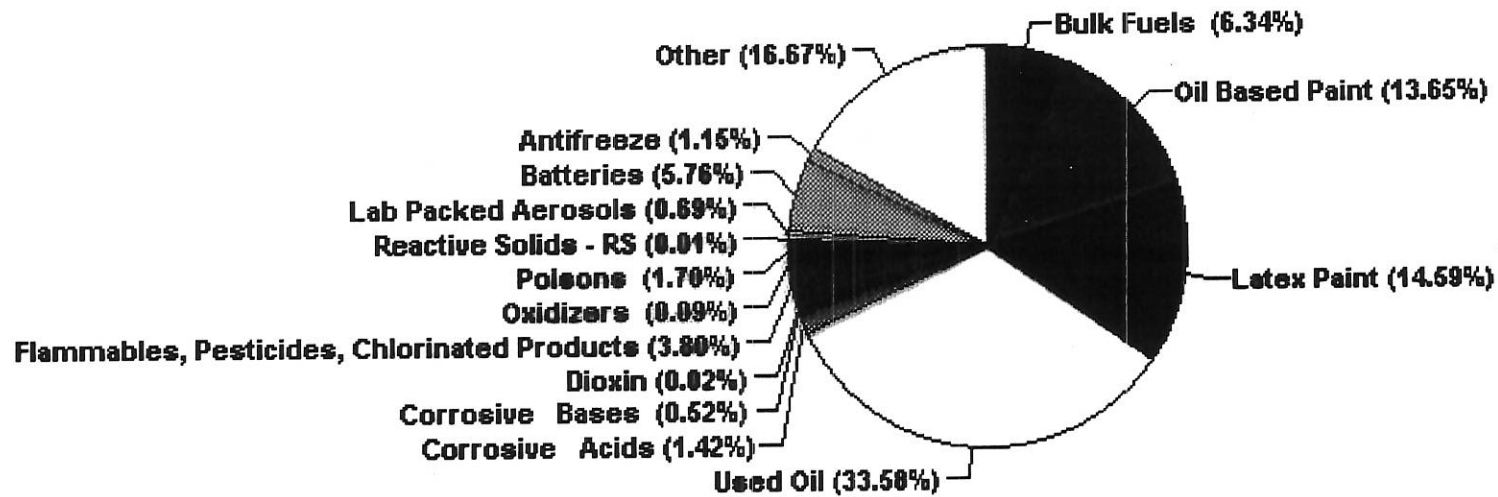


Percent of HHWs Collected



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By Waste Category SFY 1995 - 1998





Pounds of HHW Collected



2-18

