

MINUTES OF THE HOUSE ENVIRONMENT COMMITTEE

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on March 18, 2004 in Room 231-N of the Capitol.

All members were present except:

Representative Bill Light- excused
Representative Tom Sloan- excused

Committee staff present:

Emalene Correll Legislative Research Department
Raney Gilliland Legislative Research Department
Mary Torrence, Revisor of Statutes
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee:

Others attending:

See Attached List.

Chairperson Joann Freeborn called the meeting to order. She reviewed the committee agenda for Tuesday, March 23. Possible action on **SB 463** - Exception to perfection of water rights concerning beneficial use and possible action on **HB 2919** - Concerning the beneficial use of groundwater. She opened **SB 396** for discussion and possible action.

SB 396: **Creates the radiation control operations.**

Chairperson Freeborn asked if the committee wished to take action and if anyone had an amendment.

Rep. Larry Powell made a motion to restore the original language which was stricken on page 7, lines 21 through 23, beginning on line 23 "for the radiation protection". Rep. Sharon Schwartz seconded the motion. Motion failed. Committee discussion followed.

Mary Torrence, Revisor of Statutes, distributed a balloon with technical amendments and reviewed the changes. (See attachment 1)

Rep. Dan Johnson made a motion to adopt the balloon. Rep. Joshua Svaty seconded the motion.

Rep. Dan Johnson made a motion the bill be passed as amended. Rep. Joshua Svaty seconded the motion. Motion carried. Rep. Lee Tafanelli will carry the bill on the House Floor.

Chairperson Freeborn opened **SB 416** for discussion and possible action.

SB 416: **Allows cities and counties to use certain moneys for programs dealing with recyclables.**

The Chairperson asked what the committee's wishes were on this bill and if there were any amendments. There were no amendments.

Rep. Ted Powers made a motion the bill be passed and placed on the Consent Calendar. Rep. Geraldine Flaharty seconded the motion. Motion carried.

The meeting adjourned at 4:00 p.m. The next meeting is scheduled for Tuesday, March 23, 2004

Insert the word "licensed" after the word "generally"

House Environment
3-18-04
Attachment 1

1	that do not require sealed source and/or device review to persons	
2	generally, except specific licenses authorizing redistribution of	
3	items that have been authorized for distribution to persons gener-	
4	ally licensed	
5	Maximum annual fee	\$700
6	L. Licenses of broad scope for possession and use of radioactive or	
7	byproduct material issued for research and development that do not	
8	authorize commercial distribution	
9	Maximum annual fee	\$5,900
10	M. Other licenses for possession and use of radioactive or byproduct	
11	material issued for research and development that do not authorize	
12	commercial distribution	
13	Maximum annual fee	\$2,800
14	N. Licenses that authorize services for other licensees; except (1) Li-	
15	censes that authorize only calibration and/or leak testing services	
16	are subject to the fees specified in fee category 3P; and (2) licenses	
17	that authorize waste disposal services are subject to the fees speci-	
18	fied in fee categories 4A, 4B and 4C	
19	Maximum annual fee	\$3,050
20	O. Licenses for possession and use of radioactive or byproduct material	
21	for industrial radiography operations. This category also includes	
22	the possession and use of source material for shielding when au-	
23	thorized on the same license	
24	Maximum annual fee	\$6,100
25	P. All other specific radioactive or byproduct material licenses not oth-	
26	erwise specified in this table	
27	Maximum annual fee	\$1,250
28	Q. Registration of generally licensed devices or sources	
29	Maximum annual fee	\$225
30	4. Waste disposal and processing	
31	A. Licenses authorizing the possession and use of waste radioactive,	
32	by-product, source or special nuclear material for a commercial	
33	low-level radioactive waste disposal facility. Amendment fees will	
34	be as follows	
35	Maximum amendment fee	Full cost
36	1. Amendment to license concerning safety and environmental ques-	
37	tions	
38	Maximum amendment fee	Full cost
39	2. Amendment to license concerning administration questions (no	
40	safety or environment questions)	
41	Maximum amendment fee	Full cost
42	B. Licenses specifically authorizing the receipt of waste radioactive or	
43	byproduct material, source material or special nuclear material	

Delete "Amendment fees will be as follows:" from lines 33, 34

Delete "amendment" and insert "annual" in its place and move phrase "Maximum annual fee Full Cost" from line 35 to line 34

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Insert the word "annual" after the word "maximum"

1	from other persons for the purpose of packaging or repackaging the	
2	material. The licensee will dispose of the material by transfer to	
3	another person authorized to receive or dispose of the material	
4	Maximum fee	\$5,150
5	C. Licenses specifically authorizing the receipt of prepackaged waste	
6	radioactive or byproduct material, source material or special nu-	
7	clear material from other persons. The licensee will dispose of the	
8	material by transfer to another person authorized to receive or dis-	
9	pose of the material	
10	Maximum annual fee	\$3,700
11	5. Well logging	
12	A. Licenses for possession and use of radioactive or byproduct mate-	
13	rial, source material and/or special nuclear material for well log-	
14	ging, well surveys and tracer studies other than field flooding tracer	
15	studies	
16	Maximum annual fee	\$2,350
17	B. Licenses for possession and use of radioactive or byproduct material	
18	for field flooding tracer studies	
19	Maximum annual fee	\$2,350
20	6. Nuclear laundries	
21	A. Licenses for commercial collection and laundry of items contami-	
22	nated with radioactive or byproduct material, source material or	
23	special nuclear material	
24	Maximum annual fee	\$11,550
25	7. Medical licenses	
26	A. Licenses issued for human use of radioactive or byproduct material,	
27	source material or special nuclear material in sealed sources con-	
28	tained in teletherapy devices. This category also includes the pos-	
29	session and use of source material for shielding when authorized on	
30	the same license	
31	Maximum annual fee	\$5,500
32	B. Licenses of broad scope issued to medical institutions or two or more	
33	physicians authorizing research and development, including human	
34	use of radioactive or byproduct material except licenses for radio-	
35	active or byproduct material, source material or special nuclear	
36	material in sealed sources contained in teletherapy devices. This	
37	category also includes the possession and use of source material for	
38	shielding when authorized on the same license. Separate annual fees	
39	will not be assessed for pacemaker licenses issued to medical insti-	
40	tutions who also hold nuclear medicine licenses under categories 7B	
41	or 7C	
42	Maximum annual fee	\$12,350
43		

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1	C. Other license issued for human use of radioactive or byproduct material, source material and/or special nuclear material except licenses for radioactive or byproduct material, source material or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. Separate annual fees will not be assessed for pacemaker licenses issued to medical institutions who also hold nuclear medicine licenses under categories 7B or 7C	
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10	Maximum annual fee	\$2,300
11	8. Civil defense	
12	A. Licenses for possession and use of radioactive or byproduct material, source material or special nuclear material for civil defense activities	
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15	Maximum annual fee	\$650
16	9. Device, product or sealed source safety evaluation	
17	A. Safety evaluation review of devices or products containing radioactive or byproduct material, source material or special nuclear material, except reactor fuel devices, for commercial distribution. This fee shall apply to each device or product	
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21	Maximum annual fee	\$3,500
22	B. Safety evaluation review of devices or products containing radioactive or byproduct material, source material or special nuclear material manufactured in accordance with the unique specifications of, and for use by, a single applicant, except reactor fuel devices. This fee shall apply to each device or product	
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27	Maximum annual fee	\$3,500
28	C. Safety evaluation of sealed sources containing radioactive or byproduct material, source material or special nuclear material, except reactor fuel, for commercial distribution. This fee shall apply to each device or product	
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32	Maximum annual fee	\$1,100
33	D. Registrations issued for the safety evaluation of sealed sources containing radioactive or byproduct material, source material or special nuclear material, manufactured in accordance with the unique specifications of, and for use by, a single applicant. This fee shall apply to each device or product	
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38	Maximum annual fee	\$365
39	10. Special projects	
40	A. Hourly rate for radiation control program activities for which there is not an established fee category or for radiation protection services provided to nontlicensees and nonregistrants	
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42		
43	Maximum annual fee	\$79

Delete "annual fee" and insert "hourly rate"
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1	11. Reciprocity	
2	A. Licensees who conduct activities under a reciprocal agreement	
3	Maximum annual fee	\$750
4	B. Registrants who conduct activities under a reciprocal agreement	
5	Maximum annual fee	\$200
6	12. X-ray machines	
7	A. Base registration fee per facility	
8	Maximum annual fee	\$200
9	B. Registration fee for each x-ray tube at a facility. This fee is in ad-	
10	dition to the base registration fee	
11	Maximum annual fee	\$50
12	13. [13.] Accelerators	
13	A. Particle accelerators	
14	Maximum annual fee	\$300

Insert "per x-ray tube" after "fee" in line 11.

15	14. [14.] New license and registration applications	
16	A. New license and registration applications. Equal to annual fee of	
17	applicable category	

18 For licenses or registrations that authorize more than one activity,
19 an annual fee shall be assessed for each of the applicable categories.

20 (d) (e) The secretary shall adopt rules and regulations fixing the fees
21 for each radioactive hazardous waste disposal facility which shall be not
22 more than \$300,000 annually. The fees shall be deposited in the state
23 treasury and credited to the state general fund for the radiation protection
24 services provided under this act and shall periodically increase or decrease
25 such fees consistent with the need to cover all or any part of the cost of
26 administering such act.

27 New Sec. 2. (a) There is hereby created in the state treasury the
28 radiation control operations fee fund to administer the provisions of
29 K.S.A. 48-1601 through 48-1624, and amendments thereto. Such fund
30 shall be administered by the secretary of health and environment in ac-
31 cordance with the provisions of this section.

32 (b) Revenue from the following sources shall be deposited in the state
33 treasury and credited to the radiation control operations fee fund:

34 (1) Fees collected for licenses and registrations, and renewals thereof,
35 issued under the nuclear energy development and radiation control act;

36 (2) reimbursement for administrative, inspection, radioactive mate-
37 rial disposal, investigation and remedial action expenses;

38 (3) excluding civil penalties, moneys paid pursuant to any agreement,
39 stipulation or settlement;

40 (4) grants, gifts, bequests or state or federal appropriations for the
41 purposes of K.S.A. 48-1601 through 48-1624, and amendments thereto;
42 and

43 (5) interest attributable to investment of moneys in the fund shall be