

MINUTES OF THE HOUSE ENVIRONMENT COMMITTEE

The meeting was called to order by Chairperson Joann Freeborn at 3:30 P.M. on January 18, 2005 in Room 231-N of the Capitol.

Committee members absent:

Representative Tom Sloan- excused

Committee staff present:

Raney Gilliland, Legislative Research Department
Lisa Montgomery, Revisor of Statutes Office
Emalene Correll, Legislative Research
Dana Wurdeman, Committee Secretary

Conferees appearing before the committee:

Gary Blackburn, Director, Bureau of Environmental Remediation
Karl Mueldener, P.E., Director, Bureau of Water

Others attending:

See Attached List

Chairperson Joann Freeborn called the meeting to order.

Announced that the revised agenda consisted of presentations on the Public Water Supply Loan Fund and the Safe Drinking Water Act and the Aboveground Storage Tank and Underground Storage Tank programs.

The Chairperson also announced that there will be a hearing on **HB 2017, an act concerning public water supply systems on January 20.**

Chairperson Freeborn welcomed Gary Blackburn, Bureau of Environmental Remediation, Kansas Department of Health and Environment to provide an overview of the Aboveground Storage Tank and Underground Storage Tank (UST) programs. (See attachment 1). Federal regulations passed December 22, 1988, required tank registration financial assurances for releases. Additional requirements were passed December 22, 1998, requiring UST's in service to protect against corrosion, spills and overfills. The Kansas Legislature passed the Kansas Storage Tank Act in 1989 to enable the state to respond to Environmental Protection Agency requirements. Additional legislative actions have been taken to enable meeting the financial obligations of EPA requirements.

Chairperson Freeborn asked whether there were issues for discussion. Committee questions and discussion followed.

Chairperson Freeborn complimented Mr. Blackburn and KDHE staff for their program leadership which has served as a model for other states.

Chairperson Freeborn asked if there was anyone present wishing to request legislation on behalf of their agency or the public. There was no response.

The Chairperson welcomed Karl Mueldener, Director, Bureau of Water, KS Department of Health and Environment, to present information regarding the Kansas Public Water Supply Loan Fund (drinking water) and the Water Pollution Control Revolving Fund (wastewater). An overview of the wastewater revolving fund was presented first (See Attachment 2) Both funds have their origins in federal law and are quite similar. The funds allow low interest loans by the state to local municipalities. Originally designed as a grant program but when it became known that the issues would be ongoing, the revolving loan fund concept evolved. In 1988, the state passed laws that allowed funds to be set up in perpetuity. KDHE and the Kansas Development Finance Authority (KDFA) cooperate in these programs with KDHE providing engineering/scientific expertise and KDFA serving as the financier. The loan fund concept is much easier to administer because it does not require the minute details of a grant program.

Mr. Mueldener provided an overview of the drinking water state revolving fund, touching on the similarities

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and variances from the water pollution control revolving fund (See Attachment 3) One of the differences in this program is that we had state authority prior to federal mandates. Kansas is the only state to have an association (KRWFA) that provides financial oversight for borrowers without taxing authority, to assure continued good financial health.

Chairperson Freeborn adjourned the meeting at 4:50. The next meeting is scheduled for January 20.