

Atmospheric Mercury Monitoring; PCB Disposal Facilities; Plastic Bottle Labeling; HB 2551

HB 2551 amends a requirement that the Secretary of Health and Environment establish a statewide atmospheric mercury monitoring network to measure mercury deposition in Kansas. Requirements for a certain number of monitoring sites and the frequency of collecting samples are removed. In addition, the Secretary is no longer required to submit annual reports to the Governor and Legislature regarding the findings and analysis of the monitoring.

The bill also repeals a series of statutes that required the Kansas Department of Health and Environment to regulate polychlorinated biphenyls (PCBs) processing and disposal facilities. (PCBs are a type of nonflammable and stable synthetic oil historically used in electrical transformers and in other products including paint, caulk, and various hydraulic and insulating oils. Production was banned in 1979 based upon toxicity and suspicion that it was a carcinogen.)

The bill also modifies requirements regarding plastic resin codes on plastic bottles and rigid plastic containers. In addition, the bill amends solid waste plan restrictions enacted by the Legislature in 2013.

The bill requires plastic bottles and rigid plastic containers distributed, sold, or offered for sale in Kansas to be labeled, on or near the bottom, with a nationally recognized code indicating the plastic resin used to produce the bottle or container. Before the passage of the bill, the law specified the graphic symbol and the resin coding numbers to be used.

The bill specifies that solid waste plan restrictions adopted by the 2013 Legislature apply to any landfill, including those in operation before July 1, 2014. The bill also requires a city or county to meet both conditions in law for adopting restrictions, rather than just one of the conditions. (The 2013 legislation prohibited a city or county from adopting restrictions for a landfill within its boundaries if those restrictions would impair the legislation of another city or county that also uses the landfill or if the restrictions would require the other city or county to adopt solid waste management requirements not required by statewide rules or regulations.)