

MINUTES OF THE HOUSE ENERGY AND ENVIRONMENT COMMITTEE

The meeting was called to order by Chairperson Dennis Hedke at 9:00am on Wednesday, January 14, 2015, 582-N of the Capitol.

All members were present except:

Representative Kasha Kelley – Excused

Committee staff present:

Cindy Lash, Legislative Research Department

Patricia Kready, Kansas Legislative Committee Assistant

Erica Haas, Legislative Research Department

Matt Sterling, Office of Revisor of Statutes

Nick Myers, Office of Revisor of Statutes

Conferees appearing before the Committee:

John Mitchell, Director, Division of Environment

Rick Brunetti, Director, Bureau of Air

Bill Bider, Director, Bureau of Waste Management

Mike Tate, Director, Bureau of Water

Others in attendance:

[See Attached List](#)

Introduction of Committee members and staff

Each member introduced themselves by name and District. Chairman Hedke noted there was a 58% turnover on this committee from last session. Chairman Hedke introduced the staff.

Discussion of Committee rules

Chairman Hedke briefly discussed committee rules; there are some changes this session regarding decorum in the committee room during the meeting.

A copy of conferee rules will be provided next meeting.

Presentation by the Kansas Department of Health and Environment

KDHE Division of Environment Overview for the committee presented by John Mitchell, Director; Mike Tate, Director, Bureau of Water; Bill Bider, Director, Bureau of Waste Management; Rick Brunetti, Director, Bureau of Air. Dr. Susan Mosier, newly appointed Secretary of KDHE was introduced by Chairman Hedke. Director Mitchell also introduced Leo Henning, Deputy Division Director and Director, Bureau of Environment Remediation.

[\(Attachment 1\)](#)

Following the presentation, Director Mitchell, Director Tate, Director Bider, Director Brunetti and Director Henning stood for questions.

CONTINUATION SHEET

MINUTES of the Committee on Energy and Environment at 9:00am on Wednesday, January 14, 2015, 582-N of the Capitol.

Chairman Hedke mentioned the EPA proposed rule associated with the Waters of the US, and that the EPA received a very high volume of comments on this rule, and that it's expansive and quite invasive as far as property rights and other factors relating to it. Chairman Hedke stated that he and Sen Larry Powell issued joint letters to Administrator McCarthy back in the summer with respect to that rule. The EPA has chosen to ignore Federal Regulations governing how they should share proposals in advance of issuing a proposed rule. Multiple entities that should have been contacted at the state or local level, with which to coordinate, were not contacted. The concept of coordination is what is involved and they simply have chosen to ignore it. Chairman Hedke and Senator Powell brought that to their attention, also asking for multiple documents from the EPA. None of these documents have been delivered.

Chairman Hedke noted the EPA's proposed Rule 111(d) is also generating considerable public comments, and that the committee will be dealing with it in the near future.

The next committee meeting will be Friday, January 16.

The meeting was adjourned at 10:41 am by Chairman Hedke.