

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES BUDGET

The meeting was called to order by Chairman Larry Powell at 1:30 P.M. on January 30, 2007 in Room 235-N of the Capitol.

All members were present except:
Vaughn Flora- excused

Committee staff present:
Amy VanHouse, Kansas Legislative Research Department
Mary Torrence, Office of Revisor of Statutes
Jason Long, Office of Revisor of Statutes
Lura Attig, Committee Assistant

Conferees appearing before the committee:
Rep. Doug Gatewood
Gary Blackburn

Others attending:
See attached list.

Hearing on: **HB 2168 - Relocation and other assistance for people in communities within a superfund site where substantial infrastructure has been lost.**

Rep. Doug Gatewood spoke as a proponent to **HB 2168**. Extensive zinc and lead mining from 1870 to 1970 have left enormous piles, some over 400 feet high, of contaminated “chat” throughout the city of Treece, Kansas. These piles are an environmental hazard to the residents, rendering their property unsaleable and unsafe for children due to the lead contamination. Below the ground are large caverns left by the mining of long ago, some of which have caused cave-ins in the past.

Rep. Gatewood referred to various articles from periodicals which center on the devastation done to this town by the lead contamination. He also included in his testimony affidavits from the City of Treece and some residents who have been affected by the lead (Attachment 1).

The town of Treece, Kansas is down to a population of 149, with a median income of approximately \$22,500 and is suffering true economic disaster. The lead exposure continues and will continue to be detrimental to the health of current and future residents.

This bill will authorize a buyout of property owners and some financial relief to renters. The renters will receive some relocation expenses. It is hoped that some of the chat to be removed can be used to fill in some of the sink holes.

The lead and zinc in the material is a very fine powder and has very few safe uses. Asphalt however, seems to be a good mixture for the chat. It is plausible that the chat could be sold or given to resurface roads when asphalt is used.

Gary Blackburn, Director, Bureau of Environmental Remediation is a proponent of **HB 2168** (Attachment 2). This bill has been developed at the request of the citizens of Treece, Kansas to establish a statutory mechanism to perform a buyout of the small city of Treece located in Cherokee, County. Kansas is seeking federal funding to perform the buyout of Treece, Kansas, which lies within the boundaries of the Cherokee County Superfund site. Treece, Kansas lies immediately north of the city of Picher, Oklahoma, which is being bought out by the state of Oklahoma using primarily federal funds. These two small towns are only separated by the state line and are essentially one community. The residents of Treece, Kansas are impacted by the same issues as those of their neighbors in Picher, Oklahoma.

The area is severely depressed and suffers with contamination resulting from past lead and zinc mining which left hazardous mine waste and the risk of subsidence. The small community is losing much of its infrastructure that has come from Picher, Oklahoma. The bill will allow for the residents of the City of Treece, Kansas to move to similar properties within the county, outside of the mined areas. The trust will offer property owners within the city the opportunity to sell their property, to the trust, for a sum of money

CONTINUATION SHEET

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that will allow them to purchase similar house elsewhere in the county. Individuals who rent homes or business properties will be allowed one year of rent for a similar property within the county. Moving expenses of between \$1,000 and \$2,000 are allowed.

Chairman Powell closed the hearing and adjourned the meeting at 2:10 P.M.