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Date: March 9, 2020
To: Representative Ron Highland, Chairman, House Agriculture Committee
From: Shahira Stafford, Kansas Cooperative Council
RE: SB 153, KDHE spill reporting, response statutes

Mr. Chairman and Members of the Committee,

Thank you for the opportunity to provide testimony in support of Senate Bill 153 on behalf of the Kansas Cooperative Council (KCC). The KCC is a voluntary trade association representing all forms of cooperatively-structured businesses in Kansas. Its mission is to promote, support, and advance the interests, business success, and understanding of agricultural, utility, credit, and consumer cooperatives and their members through legislation and regulatory efforts, education, and public relations. Simply, cooperatives differ from other businesses because they are member-owned, member-controlled, democratically-governed, and profits are returned back to the patrons.

The majority of the KCC's members are agricultural cooperatives that cover grain, fertilizer, agronomy, seed, and fuel operations regulated by the Kansas Department of Health and Environment's Bureau of Environmental Remediation. **SB 153 does several things, but most importantly lessens the onerous burden on our members by establishing consistency between state and federal reporting requirements when a water or soil pollutant release has occurred.** This will eliminate confusion and help ensure that the industry is complying to the requirements set forth by the KDHE responsibly. Agricultural cooperatives take risk to the human and environmental health of their communities seriously and understand the need for clarifying KDHE's response processes set forth in this bill.

The KCC also supports the amendments that the Senate Committee made to the bill at the request of agricultural interests last year:

- To exclude animal or crop waste from the definition of "pollutant."
- To exclude releases that occur as part of normal agricultural activities from the definition of "release."
- To reduce the penalty for violations from \$10,000 to \$5,000 and change the penalty for continuing violations from \$10,000 per day to a maximum of \$15,000.

For these reasons, the KCC stands in support of SB 153 as amended. Thank you for allowing us to comment today.