



Kansas Agribusiness Retailers Association

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January 8, 2021

To: Joint Committee on Administrative Rules and Regulations
From: Randy Stookey, Senior Vice President of Government Affairs, KARA
Re: **Proponent Testimony on Proposed Kansas Emergency Planning and Community Right-to-Know Regulations, Kansas Administrative Regulations 28-65-1, et seq.**

Chair Tyson and members of the committee, thank you for the opportunity to provide testimony in support of the proposed amendments to the Kansas Emergency Planning and Community Right-to-Know Regulations issued by the Kansas Department of Health and Environment (KDHE).

This testimony is submitted on behalf of Kansas Agribusiness Retailers Association (KARA), a state-wide agribusiness industry trade association with over 700 members companies that supply seed, fertilizer, crop protection products, fuel, and agronomic services to Kansas farmers.

Members of KARA have an interest in the registration, transportation, storage, handling, sale, and application of fertilizer and agricultural chemicals that fall within the chemical inventories covered by federal and state Community Right-to-Know programs. As such, KARA members have a direct interest in these proposed regulatory changes.

The proposed changes to the agency regulations are necessary to adopt - at the state level - the current federal regulatory requirements and definitions to which our industry adheres.

The proposed changes will require electronic submission of Section 312 (Tier II) filings to KDHE using the agency's *Kansas tier II* software. It is our understanding, however, that most of these filings by industry are already submitted electronically today. As this change will make the state reporting system more efficient, we would support this proposal.

In addition, adoption of these proposed regulations will cause the state program to become more consistent with neighboring states, which will simplify compliance for our members that conduct business in multiple states.

According to the agency's economic impact statement for these regulations, these proposed changes will not increase fees on our industry – except as concerns the above-ground storage of petroleum fuels, and this increase would be de minimis.

For the reasons stated above, we support adoption of the proposed agency regulations. Thank you for considering these comments.