

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT.

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on January 23, 2001 in Room 231-N of the Capitol.

All members were present except: Rep. Don Myers - excused

Committee staff present: Raney Gilliland, Kansas Legislative Research Department
Mary Torrence, Revisor of Statute's Office
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee: Karl Mueldener, Director, Bureau of Water, Division of Environment, KDHE, Forbes 283, Topeka, KS 66620-0001
Jan Sides, Director, Air and Radiation, Division of Environment, Forbes 283, Topeka, KS 66620-0001

Others attending: See Attached Sheet

Representative Vaughn Flora, Ranking Minority Leader, called the meeting to order at 3:30 p.m. Chairperson Joann Freeborn was appearing in another committee and unable to open the meeting but returned in a short time. Representative Flora asked if there were any bill introductions.

Rep. Tom Sloan made a motion to introduce a bill concerning rural water districts; relating to the provisions for release of lands from the territory of a rural water district; establishing a procedure for hearing of the same; providing for appeal by dissatisfied property owners; and repealing the existing section. (See attachment 1) Rep. Dan Johnson seconded the motion. Motion carried.

Karl Mueldener, KDHE, requested a bill that would allow money in the water pollution control revolving fund to be used to make grants under two federal programs. Rep. Becky Hutchins made a motion the bill be introduced. Rep. Bill Light seconded the motion. Motion carried.

The Chair welcomed Karl Mueldener, Director, Bureau of Water, KDHE. He briefed the committee on proposed federal regulations for livestock feeding. (See attachment 2) The United States Environmental Protection Agency is proposing strict new controls to protect public health and the environment from one of the causes of water pollution, animal wastes from large, industrial feedlot operations. New requirements would apply to as many as 39,000 concentrated animal feeding operations across the country. Today, only an estimated 2,500 large and small livestock operations have enforceable permits under the Clean Water Act. One proposed definition could include livestock facilities with more than 500 cattle or other animal units. The other proposal would require operations with 300-1000 cattle to have a permit if meeting certain risk-based conditions. In addition to stricter permitting requirements, the proposal includes several new strict controls; (1) poultry, veal, and swine operations would be required to prevent all discharges from their waste storage pits and lagoons where wastes are collected; (2) the proposal eliminates potential exemptions from permits presently used in some states; as a result, EPA expects that all large livestock operations will now have to acquire permits; (3) under this proposal, EPA and the states will issue co-permits for corporations and contract growers to ensure financial resources exist to meet environmental requirements; (4) the spreading of manure on the land owned by livestock facilities would be limited to protect water ways. Committee discussion and questions followed.

Jan Sides, Director, Bureau of Air and Radiation, KDHE, was welcomed. He briefed the committee on the 1999 Air Quality Report. The report is issued by the Kansas Department of Health and Environment, Bureau of Air and Radiation, to inform the citizens of Kansas of air quality throughout the state in 1999. The air program in the state of Kansas is a coordinated effort of the Division of Environment and four local air pollution control authorities. The Bureau of Air and Radiation works closely with the local agencies to ensure that Kansas is meeting Federal Clean

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Air Act requirements in accordance with the Federal Environmental Protection Agency guidelines. The Bureau has been designated as the responsible agency to obtain the statewide air quality monitoring data needed to determine the status of compliance with the National Ambient Air Quality Standards. The report presents the data that were EPA reportable in 1999. (See attachment 3) Committee questions followed.

Karl Mueldener, KDHE, was welcomed back to the committee and gave a briefing on the Kansas Water Pollution Control Revolving Fund. This fund provides low interest loans for wastewater collection and treatment facilities. He discussed points of interest; project funding by priority based on public health and environmental need; annual independent audit since 1995; loan program, not a grant; rate approximately 3.5%; large project needs drive leveraging bonds; priority to capture federal dollars and prompt payments to municipalities; and presently revising fund to be used for non-point source pollution. Also, legislative initiative; rural hardship assistance grants and wet weather water quality act of 2000. (See attachment 4)

Mr. Mueldener briefed the committee on the Kansas Public Water Supply Loan Fund, which provides low interest loans to municipal government to assist in construction of water works. Points of interest were; priorities for correction of violations; close coordination with the Kansas Department of Commerce and Housing, Kansas Water Office, and the Federal Rural Development Agency; rates approximately 4.4%; priority to capture federal funds and prompt payments to municipalities; reserve account leverage programs, \$1 federal equals \$4 in state loans; contract with rural water finance, unique and successful; staff shortages. (See attachment 5) Committee questions followed.

Chairperson Freeborn thanked Mr. Mueldener and Mr. Sides for their presentations. She brought the committee's attention to the "2001 Deadlines", Tuesday, January 30 will be the last day for members to request to have bills drafted in this committee. She announced that **HB2002**, concerning wildlife; relating to prohibition of certain birds from this state, will not be heard in this committee this year, it will be held over until next legislative session to provide more time for research. She reviewed the agenda for Thursday, January 25.

The meeting was adjourned at 5:20 p.m. The next meeting is scheduled for Thursday, January 25, 2001.