

Kansas Agricultural Remediation Fund; HB 2477

HB 2477 makes changes to the Remediation Reimbursement Program (Program) that provides remediation funding from the Kansas Agricultural Remediation Fund (Fund). [Note: The Program was established by the Legislature to provide financial support to eligible persons through reimbursement of expenses incurred during the performance of remediation activities for releases of agricultural chemicals. The Fund receives no state funding and is funded by environmental assessment fees paid by the industry.]

Reimbursement Cap Limits

The bill clarifies that an eligible person may receive reimbursement per remediation site and evidenced by receipts for any eligible corrective action costs, but the total reimbursement cannot exceed \$300,000, an increase from \$200,000.

The bill states that if an eligible person has paid at least \$2,000, an increase from \$1,000, for eligible corrective action costs at a site, reimbursement may be received in an amount equal to:

- 90 percent of total eligible corrective action costs greater than \$2,000 until the person has received \$100,000; plus
- Additional reimbursement in an amount equal to 80 percent of additional total eligible corrective action costs until the person has received an additional \$200,000 in reimbursement.

The total reimbursement amount for any one remediation site cannot exceed \$300,000, unless the Kansas Agricultural Remediation Board (Board) sets forth a different amount that is less than or equal to \$300,000.

The bill removes language regarding reimbursement if both a buyer and seller or a lessee and lessor are jointly responsible for remediation on a property.

Kansas Agricultural Remediation Fund Expenditure Limitation

The bill increases the limitation of expenditures from the Fund for administrative expenses of the Board from \$150,000 to \$175,000 in any fiscal year.