

Approved: March 9, 2007  
Date

## MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman John Faber at 3:30 p.m. on March 1, 2007, in Room 241-N of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department  
Jason Thompson, Revisor of Statutes  
Florence Deeter, Committee Assistant

Conferees:

Bill Bider, Director of Bureau of Waste Management, Kansas Department of Health and Environment  
Shawn Herrick, Executive Director, Mid-America Tire Dealers Association  
Gary Blackburn, Director, Bureau of Environmental Remediation, Kansas Department of Health and Environment  
Tom Palace, Executive Director, Petroleum Marketers and Convenience Store Association  
Leslie Kaufman, Executive Director, Kansas Cooperative Council  
Mary Jane Stankiewicz, Vice President and General Counsel, Kansas Agribusiness Retailers Association

Others attending:

See attached list.

### **Hearing on SB 146 - Solid waste, waste tire management**

Bill Bider, Director of Bureau of Waste Management, Kansas Department of Health and Environment (KDHE), spoke as a proponent of **SB 146**. He advised the members of several facets in the bill and said that by expanding the existing recycling grant program and including grants to local entities, implementation of the bill could facilitate purchases of materials and products made from recycled tires. An additional restriction addresses the amount of money KDHE can provide annually for waste tire grants (Attachment 1).

Mr. Bider requested that KDHE have additional time to implement the recycling program in order to obtain future grants. In answer to questions, Mr. Bider said there is no playground cover from recycled tires being produced in Kansas at this time; two new companies are developing plans to be operational by the end of summer, 2007. He said that new standards related to usage will code and color products for purchasers. Mr. Bider said two cities, Humboldt and Chanute, have facilities for burning fuel in cement kilns.

Shawn Herrick, Executive Director of the Mid-America Tire Dealers Association, spoke in support of **SB 146** and commended the committee for its consideration of the bill. She said that, since 1990, approximately 86 percent of used tires are recycled; this bill will help improve the availability of new markets in the industry (Attachment 2). Answering a question, Ms. Herrick indicated that a large percent of recycled tires goes into fuel for cement kilns. Magnets are used to pull the steel out and it is recycled as well. She stated that a tire dealer pays \$1.00 to \$3.00 to dispose of used tires and that cost is reflected in the customer's billing at the time of sale.

Judy Moler, Legislative Services Director, Kansas Association of Counties, submitted written testimony in support of **SB 146** (Attachment 3).

The Chairman closed the hearing on **SB 146**.

### **Hearing on SB 190 - amending the Kansas Storage Tank Act**

Gary Blackburn, Director, Bureau of Environmental Remediation, Kansas Department of Health and Environment, speaking as a proponent of **SB 190**, which amends the Kansas Storage Tank Act (KSTA), said the primary function of the bill is to grant authority needed to comply with new federal requirements (Attachment 4). Mr. Blackburn stated the KSTA program requires more frequent inspections, a greater number of public reports, and more responsibility for licensed underground tank installers. The Energy Policy

## CONTINUATION SHEET

MINUTES OF THE House Agriculture and Natural Resources Committee at 3:30 P.M. on March 1, 2007 in Room 426-S of the Capitol.

Act (EPA) has not provided the funds needed for this program, yet requires these activities to be conducted. The Underground Storage Trust fund can be utilized for conducting this program until federal funds become available. Mr. Blackburn said **SB 190** will extend the eligibility deadline for the Kansas Essential Fuels Supply Trust fund from October 30, 2007, to July 1, 2009, and will benefit those who own above-ground tanks.

Tom Palace, Executive Director, Petroleum Marketers and Convenience Store Association, a proponent of **SB 190**, elaborated on three sections, stating that EPA mandates specific requirements for training any person who has responsibility with the operation, maintenance and oversight of underground storage tanks (Attachment 5). He said operators are required to complete an approved training program with KDHE, show evidence of either financial responsibility for spills and leaks, or give assurance of secondary containment requirements. In addition, Mr. Palace alluded to the bill's extension of the sunset provision from October 30, 2007, to July 1, 2009, to be in compliance with EPA requirements.

Leslie Kaufman, Executive Director, Kansas Cooperative Council, provided written testimony in support of **SB 190** (Attachment 6).

Mary Jane Stankiewicz, Vice President and General Counsel for Kansas Agribusiness Retailers Association, provided written testimony in support of **SB 190** (Attachment 7).

The Chairman closed the hearing on **SB 190**.

The Chairman called for consideration of **SB 191**. Representative Svaty moved to pass SB 191 favorably and place it on the Consent Calendar. Representative Grange seconded the motion. The motion carried.

The Chairman called for consideration of **SB 192**. Representative Svaty moved to pass SB 192 favorably and place it on the Consent Calendar. Representative Grange seconded the motion. The motion carried.

The Chairman called for consideration of **SCR 1604**. Representative Moxley moved to pass SCR 1604 favorably and place it on the Consent Calendar. Representative Fund seconded the motion. The motion carried.

The meeting adjourned at 4:50 p.m. The next meeting is scheduled for March 5, 2007.