

SESSION OF 2015

SUPPLEMENTAL NOTE ON SENATE BILL NO. 124

As Amended by Senate Committee of the Whole

Brief*

SB 124 would authorize the Secretary of Health and Environment to adopt rules and regulations on the land-spreading of solid waste generated by drilling oil and gas wells. The bill would extend the sunset date for the land-spreading program managed jointly by the Kansas Department of Health and Environment (KDHE) and Kansas Corporation Commission (KCC) from July 1, 2015, to July 1, 2018.

The bill would require the seller of any property where land-spreading has occurred to disclose the land-spreading to any potential purchaser of the property. In addition, the bill would require the KCC to annually present a report on land-spreading to the Senate Committee on Natural Resources, Senate Committee on Ways and Means, House Committee on Agriculture and Natural Resources, and House Committee on Appropriations.

Background

The bill was introduced by the Senate Committee on Natural Resources.

In the Senate Committee, the Director of the Bureau of Waste Management, KDHE, and the Director of the Conservation Division, KCC, provided testimony in favor of the bill. The proponents stated land-spreading has been utilized only in two cases; however, certain drilling companies

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

active in other states prefer land-spreading and they may someday expand their business activity in Kansas.

A representative of the National Waste & Recycling Association presented testimony in opposition to the bill, stating the Association's members' concerns include the risk of soil contamination that land application of these wastes could have.

The Senate Committee amended the bill by adding a requirement for a seller of property where land-spreading has occurred to notify a potential buyer of the property of the date the land-spreading occurred. In addition, the Committee added language requiring an annual report to several legislative committees by the KCC on land-spreading.

The Senate Committee of the Whole amended the bill by extending the current sunset of the land-spreading program from July 1, 2015, to July 1, 2018.

The fiscal note prepared by the Division of the Budget states passage of the bill would have no fiscal effect on KCC or KDHE operations.