



**Kansas Grain and Feed Association
Kansas Agribusiness Retailers Association
Renew Kansas Association**

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March 9, 2020

To: House Committee on Agriculture
From: Randy E. Stookey, Senior Vice President of Government Affairs
RE: **Joint, Proponent Written Testimony on SB 153, KDHE response operations for water and soil pollutant release, discharge or escape – as amended.**

Chairman Highland and members of the Committee on Agriculture, thank you for the opportunity to provide testimony in support of Senate Bill 153. This testimony is submitted jointly on behalf of the Kansas Grain and Feed Association (KGFA), the Kansas Agribusiness Retailers Association (KARA), and Renew Kansas Association.

KGFA is the state association of the grain receiving, storage, processing and shipping industry in Kansas. KGFA's membership includes over 950 Kansas business locations and represents 99% of the commercially licensed grain storage in the state. KARA is an agribusiness industry trade association with membership of over 700 companies across Kansas. Renew Kansas Association is the trade association of the 10 ethanol processing plants in Kansas. Members of each of these associations fall under the regulatory umbrella of the Kansas Department of Health and Environment's Bureau of Environmental Remediation (department).

Senate Bill 153 allow the Secretary to clearly define, in regulation, reportable quantities and timelines for reporting spills of hazardous chemicals, and to harmonize those quantities and timelines with federal standards and other state standards. The bill would also allow the agency to provide technical guidance during a clean-up response, and permit cost-recovery from the responsible party for any state expenses for response to a release. The bill would also provide KDHE the ability to levy penalties for illegal dumping, the refusal of the responsible party to clean up a release, or the lack of timely reporting of a release.

This bill was originally heard last session by the Senate Committee on Agriculture. At that time, our associations joined other stakeholders in objecting to provisions in the bill that would have granted the department unlimited civil penalty authority.

Over the summer, our associations worked with the department and other stakeholders to draft an amendment limiting the effect of the bill on agriculture chemicals, and limiting the department's maximum civil penalty authority. That amendment language was added to the bill by the Senate this year, and we now stand as proponents of the measure, as amended.

Thank you for allowing us the opportunity to testify in support of Senate Bill 153, as amended. We respectfully request that the committee pass the bill out favorably.