Testimony on SB 153

Senate Agriculture and Natural Resources Committee

Presented by Rhett Heflin

on behalf of

CHS McPherson Refinery

Mr. Chairman, Members of the Committee:

My name is Rhett Heflin, and I am the Environmental Manager for the CHS McPherson Refinery (CHS) in McPherson, Kansas. Our facility has a long and successful history of working with the Kansas Department of Health & Environment (KDHE) and we would like to thank you for the opportunity to submit our written testimony in support of SB 153. CHS supports the proposed updates and changes to the Water Supply and Sewage Act (K.S.A. 65-171) as it provides much needed consolidation and clarification within the Spills Program administered by the KDHE.

Under the current Spill Program requirements, "all releases", regardless of size, must be reported to the KDHE. By clarifying the reportable quantities, this amendment reduces the burden on both industry and KDHE to spend valuable resources on small releases that are not a risk to human health and the environment. Clearly identifying reportable quantities will also protect industry from any violations or litigation for not reporting every "drip" or minimal release based on the current definition. CHS agrees that this does not change the corrective action/cleanup required for all spills but provides consistency with other state reporting requirements and the protections provided by defined volumes rather than a general all-encompassing definition.

CHS understands the need to strengthen the Secretary's ability to maintain and manage the Spill Program effectively. We believe that providing the KDHE with the authority to assess penalties, ensures consistency of spill reporting and clean-up for all stakeholders across the state. CHS supports this with the understanding that stakeholders will be actively involved with the development of the penalty matrix that is currently being drafted by the Bureau of Environmental Remediation.

Thank you for considering my testimony on this matter.

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