

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Carolyn McGinn at 8:30 a.m. on January 17<sup>th</sup>, 2008 in Room 423-S of the Capitol.

All members were present except:

Mark Taddiken- excused

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department

Jason Thompson, Revisor of Statutes

Matt Todd, Revisor of Statutes

Adrienne Halpin, Committee Assistant

Conferees appearing before the committee:

Rick Bean, Kansas Department of Natural Resources

Others attending:

See attached list.

Chair McGinn commenced with a Bill Introduction in which the Kansas Grain and Feed takes interest, concerning a Kansas agricultural remediation program originally passed in 2000 and scheduled to sunset in 2010. This new bill would extend the original program to 2020 and allow both buyers and sellers with contaminated property to participate in the reimbursement program. Senator Ostmeyer made the motion. Senator Lee seconded the motion. The motion carried.

Chairman McGinn introduced Rick Bean, Chief of Remediation of the Kansas Department of Health and Environment (KDHE), to begin the briefing on the cleanup at Barton Solvents in Valley Center, Kansas.

Mr. Bean gave the committee a verbal summary of the chemical fire and explosion at Barton Solvents which followed a written briefing (Attachment 1) and an attachment of photographs taken at the site (Attachment 2). Mr. Bean explained that KDHE was notified July 17<sup>th</sup>, 2007 of the chemical fire and explosion and Barton Solvents from a fire that began in a chemical storage area. KDHE and the Environmental Protection Agency (EPA) were called to the scene where an incident command post was set-up for operations to begin. KDHE assumed the lead in short-term response and long-term remedial actions on July 20<sup>th</sup>, 2007.

Concerns included: remediating contaminated soil and maintaining the preexisting microbial population after chemicals leaked into the Valley Center Waste and Water Treatment facility. Remediation included: an air monitoring network on the site's perimeter, vacuuming up standing liquid to be stored in frac tanks, and removing remaining chemical storage tanks. Assessment included: geoprobing and drilling additional monitoring wells, sampling private wells, continuing air monitoring, and assessing off-site soil areas. Problems during this process included: the slowing of remedial efforts during an investigation by the Federal Chemical Safety Board, the erroneous placement of land farm by Barton Solvent's environmental contractor, and the use of contaminated rainwater over the original land farm.

Valley Center and KDHE informed the public of these circumstances by measures including: a public meeting held on August 8<sup>th</sup>, 2007; a public tour of the facility held on November 20<sup>th</sup>, 2007; as well as continued response to concerns as they are raised. Future actions include: the review of reports and data, the continuation of monitoring, the continuation of response to public concerns, and the evaluation of ground water.

Mr. Bean stood for questions during which time Gary Blackburn, Director of KDHE Bureau of Environmental Remediation, also responded to questions.

Senator Huelskamp requested that a similar update from the Kansas Fire Marshall's Office be scheduled.

The Meeting adjourned at 9:30.