

SESSION OF 2002

**SUPPLEMENTAL NOTE ON
SUBSTITUTE FOR HOUSE BILL NO. 2686**

As Amended by Senate Committee on
Natural Resources

Brief*

Sub. for HB 2686 would amend solid waste statutes with respect to the annual permit renewal fee for solid waste disposal areas which are owned and operated by facilities generating and disposing of their own industrial waste. Under the bill, the annual permit renewal fee for these disposal areas which are used as monofills for cement kiln dust from the manufacturers of portland and masonry cement would be not less than \$1,000 nor more than \$2,500; and for all other disposal areas of this type would be not less than \$1,000 nor more than \$4,000. The bill would require the Secretary of the Kansas Department of Health and Environment (KDHE) to adopt a differential fee schedule based upon the characteristics of the disposal area sites. Other amendments would clarify that industrial waste disposed of at a permitted facility, owned and operated by the facility generating the waste and used only for waste generated by the facility, would be exempt from the statewide solid waste tipping fee. In addition, the bill would clarify that this type of waste would be exempt from any locally imposed fee.

Background

The original bill was introduced at the request of Representative Henry. At the hearing on the bill, Representative Henry distributed a substitute bill which had been developed since the time of introduction of the original bill. A representative of KDHE appeared in support of the substitute language. Also appearing was a representative of Atchison Steel Casting and Machining. A representative of Sunflower Electric appeared to oppose the language of the original bill. This conferee

*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.accesskansas.org/legislature/>

supported the substitute bill. A spokesperson from the Kansas Cement Association opposed the original bill and had concerns with the proposed substitute.

The fiscal note on the original bill indicates that KDHE believes that the bill would reduce revenue deposited annually to the Solid Waste Management Fund by \$15,000 to \$20,000. The solid waste regulatory program is totally fee-funded. Any fiscal effect resulting from enactment of the bill is not accounted for in the *FY 2003 Governor's Budget Report*.

The Senate Committee on Natural Resources amended the bill to provide that the annual permit renewal fee for the disposal of cement kiln dust from the manufacture of portland and masonry cement would be not less than \$1,000 nor more than \$2,500 and all other disposal areas would be not less than \$1,000 nor more than \$4,000.