

February 9, 2015

The Honorable Dennis Hedke, Chairperson  
House Committee on Energy and Environment  
Statehouse, Room 581-W  
Topeka, Kansas 66612

Dear Representative Hedke:

SUBJECT: Fiscal Note for HB 2177 by House Committee on Energy and Environment

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2177 is respectfully submitted to your committee.

HB 2177 would amend current law regarding the Voluntary Cleanup and Property Redevelopment Act that is administered through the Bureau of Environmental Remediation (BER) of the Kansas Department of Health and Environment. The bill would make the following changes:

1. Provide the BER with the flexibility to issue No Further Actions (NFA) determinations for low-risk sites even in instances when the contamination may be above the regulatory standards;
2. Eliminate the requirement that every voluntary cleanup plan be put out for public notice. The bill would allow the BER to determine if public notice is needed, based on public interest;
3. Allow an innocent property owner to receive a NFA determination regardless of whether or not the responsible party is enrolled in a state cleanup program; and
4. Delete the requirement that BER must determine which environmental consulting companies are qualified to work for private industries as part of the Voluntary CleanUp Program.

The passage of HB 2177 would have no fiscal effect on the Department of Health and Environment.

Sincerely,



Shawn Sullivan,  
Director of the Budget

cc: Aaron Dunkel, Health & Environment