

News from Senator

# BOB DOLE



(R - Kansas)

SH 141 Hart Building, Washington, D.C. 20510

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CONTACT: SARA BELDEN  
(202) 224-6521

**DOLE FIGHTS FOR FAIR CLEAN AIR BILL;  
KANSAS ISSUES REACH SENATE FLOOR,  
DOLE AMENDMENTS WIN APPROVAL TODAY**

Washington, D.C. -- SENATOR BOB DOLE, (R-KS), RELEASED TODAY A LIST OF KANSAS CONCERNS THAT HAVE BEEN DEALT WITH BY THE SENATE SO FAR DURING THE CLEAN AIR DEBATE. THE SENATOR ADDED, HOWEVER, THE DEBATE WAS FAR FROM OVER AND THAT SEVERAL CONCERNS FOR KANSAS REMAINED.

"SO FAR WE HAVE MADE GOOD PROGRESS IN MODIFYING THIS BILL FOR THE BENEFIT OF KANSAS," SAID DOLE. "THERE ARE A FEW PROBLEMS THAT REMAIN, AND I AM HOPEFUL WE CAN COME TO SOME AGREEMENT ON THOSE ITEMS OVER THE RECESS. KANSAS IS A CLEAN STATE - WE'RE PROUD OF THAT FACT, AND WE WANT TO KEEP IT THAT WAY. KANSAS SHOULDN'T HAVE TO BEAR THE BURDEN, OR PICK UP THE TAB, FOR SOME OTHER REGION'S POLLUTION. WE WANT FAIR AND EQUITABLE TREATMENT."

THE KANSAS SENATOR INDICATED HIS CONCERN EARLY ON IN THE PROCESS BY DEVELOPING SEVERAL AMENDMENTS REFLECTING THE CONCERNS OF KANSAS INTERESTS. THOSE THAT HAVE BEEN PASSED BY THE SENATE INCLUDE:

**AMMONIA USED IN FERTILIZER PRODUCTION** - AMMONIA, WHICH IS LISTED IN THE BILL AS A HAZARDOUS AIR POLLUTANT, WILL NOW BE TREATED UNDER CURRENT LAW. KANSAS FERTILIZER PRODUCERS WOULD HAVE FOUND THEMSELVES AT AN IMMEDIATE DISADVANTAGE UNDER THE PROPOSED BILL AND WOULD BE FORCED TO MAKE MILLIONS IN CAPITAL EXPENDITURES TO MEET THIS UNREASONABLE STANDARD. POTENTIAL IMPACTS INCLUDED LOSS OF 50 KANSAS JOBS, HUGE INCREASES IN FERTILIZER COSTS TO FARMERS, AND THE POTENTIAL LOSS TO FARMERS OF ANHYDROUS AMMONIA AS A FERTILIZER.

LIKewise, THE SENATE ACTED TO EXEMPT FERTILIZER NURSE TANKS FOR FARMING PURPOSES AND RECOGNIZED THAT PROCESS VENTING AT ANHYDROUS AMMONIA FERTILIZER PLANTS SHOULD NOT BE COVERED UNDER BILL PROVISIONS COVERING ACCIDENTAL RELEASE. THOUSANDS OF KANSAS FARMERS HAVE FERTILIZER TRANSPORT TANKS TO DELIVER ANHYDROUS AMMONIA TO THEIR FIELDS. REGULATIONS UNDER THE EARLIER BILL WOULD HAVE ADDED A DEVASTATING NEW COST OF REGULATION TO THE KANSAS FARMER. ALSO, PROCESS VENTING IS A NECESSARY PART OF THE FERTILIZER PRODUCTION PROCESS TO PROTECT THE PLANT FROM EXPLOSIONS.

**KANSAS OIL AND GAS STRIPPER WELLS** - THE KANSAS OIL AND GAS INDUSTRY WOULD BE SEVERELY IMPACTED BY THE CLEAN AIR BILL AS PROPOSED. KANSAS OIL AND GAS INDUSTRY OFFICIALS HAVE ESTIMATED THAT 6,500 INDUSTRY JOBS WOULD BE LOST, 4,500 WELLS WOULD BE CAPPED AND ABANDONED, 700 NEW WELLS WOULD NOT BE DRILLED, 19,000 BARRELS OF OIL PER DAY WOULD NOT BE PRODUCED, AND \$11.1 MILLION IN SEVERANCE TAXES AND \$17.4 MILLION IN ROYALTY PAYMENTS WOULD BE LOST.

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THE SENATE IN SEPARATE ACTIONS ADOPTED SENATOR DOLE'S AMENDMENTS EXEMPTING STRIPPER OIL AND GAS WELLS FROM TITLE I AMBIENT AIR PROVISIONS AND THE TITLE III AIR TOXICS AREA SOURCE DEFINITION. THESE marginally PRODUCING WELLS ARE AN INTEGRAL PART OF AMERICA'S DOMESTICALLY PRODUCED ENERGY SUPPLY AND THE KANSAS ECONOMY AND SHOULD BE ENCOURAGED RATHER THAN DISCOURAGED TO CONTINUE PRODUCING.

KANSAS ELECTRIC UTILITIES - SENATOR DOLE HAS BEEN WORKING CLOSELY WITH KANSAS ELECTRICITY PRODUCERS TO ENSURE THAT THEY CAN MEET THE BILL'S ACID RAIN REQUIREMENTS, AND ENSURE CONTINUED ABILITY FOR THESE UTILITIES TO GROW AND EXPAND. LIKEWISE THE SENATOR SPENT CONSIDERABLE TIME WORKING WITH SMALL KANSAS ELECTRIC GENERATORS AND COOPERATIVES TO ENSURE THEIR CONTINUED VIABILITY AND GROWTH. PARTICULAR ATTENTION WAS PAID TO DEVELOPING ADEQUATE PROVISIONS FOR SMALL GENERATORS TO MEET EMERGENCY SITUATIONS CAUSED BY AN INTERRUPTION IN FUEL SUPPLIES. THESE PROVISIONS ARE CONTAINED WITHIN THE DOLE-MITCHELL COMPROMISE AGREEMENT.

SENATOR DOLE INDICATED SEVERAL KANSAS PROBLEMS STILL REMAIN TO BE RESOLVED - MANY WITH SERIOUS IMPLICATIONS.

WASTE INCINERATORS - HOSPITALS, MUNICIPALITIES, AND OTHER SMALL ENTITIES UTILIZE WASTE INCINERATION UNITS. UNDER THE SENATE COMMITTEE BILL, SMALL MODULAR AND HOSPITAL INCINERATORS COULD NOT BE USED. THIS AREA OF THE PROPOSED LAW IS STILL UNDER REVIEW.

IMPACT ON SMALL BUSINESS - MANY SMALL BUSINESSES WILL NEED TECHNICAL ASSISTANCE AND ADVICE BEFORE IMPLEMENTING CLEAN AIR CONTROLS. NEGOTIATIONS ARE ONGOING TO PROVIDE ADEQUATE MEANS FOR THESE AFFECTED PERSONS AND SMALL BUSINESSES TO MEET THE NEW REQUIREMENTS.

IMPACT ON SMALL COMMUNITIES - SMALL COMMUNITIES NEED TO KNOW THE POTENTIAL IMPACTS, INCLUDING COST ESTIMATES OF THE CLEAN AIR REQUIREMENTS. MOST SMALL COMMUNITIES DO NOT HAVE ADEQUATE MUNICIPAL STAFF OR RESOURCES TO CALCULATE THESE IMPACTS. SENATOR DOLE FEELS THAT EPA, THROUGH ITS OFFICE OF SMALL COMMUNITIES COORDINATOR, SHOULD BE REQUIRED TO IDENTIFY THESE IMPACTS, INCLUDING COST ESTIMATES OF IMPLEMENTATION, BEFORE SUCH REGULATIONS ARE IMPLEMENTED.

OTHER IMPACTS ON FARMERS - KANSAS FARMERS WHO USE PESTICIDES ARE CURRENTLY COVERED UNDER THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT (FIFRA). THIS IS A HIGHLY COMPLEX AND TECHNICAL LAW THAT COVERS SPECIFIC DIRECTIONS FOR DOSAGE RATES, METHODS OF APPLICATION, INSTRUCTIONS FOR DILUTION AND TYPES OF APPLICATION APPARATUS, INCLUDING FREQUENCY AND TIMING OF APPLICATIONS, AND OTHER LIMITATIONS AND RESTRICTIONS OF PESTICIDE USE. SENATOR DOLE BELIEVES THAT PESTICIDE APPLICATION REQUIREMENTS SHOULD NOT BE ADVERSELY AFFECTED BY INCONSISTENT REQUIREMENTS AND CONTROLS UNDER THE CLEAN AIR ACT.