

MINUTES

HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

DATE: Thursday, February 06, 2020

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Vander Woude, Vice Chairman Amador, Representatives Anderson, Anderst, Horman, Moon, Scott, Ehardt, Armstrong, Furniss, Hartgen, Raybould, Young, Smith, Ellis, Mason

**ABSENT/
EXCUSED:** Representative Lickley, Chew

GUESTS: Lora Whalen, Joe Righello, Panhandle Health District; Meeghan Sheppard, Office of Governor; Mary Ann Nelson, DEQ; Kevin Howard, Worley Highway Dist.; Jay Shaw, OAR/DFM

Chairman Vander Woude called the meeting to order at 1:32 p.m. Chairman Vander Woude turned the gavel over to **Vice Chairman Amador**.

DOCKET NO. 41-0101-1900: **Joe Righello**, Environmental and Health Protection Division Administrator for Health District 1, presented **Docket No. 41-0101-1900**, Pan Handle Health District #1. This rule is specific to the Panhandle Health District (PHD) and its Environment Health responsibilities regarding water quality and protection, sewage and wastewater disposal and Critical Materials over the Rathdrum Prairie Aquifer and the Institutional Controls Management of the Bunker Hill Superfund Site. This was reviewed and updated by reducing 22% of the overall words, and 60% of the restrictive wording. While exceeding the Red Tape Reduction Act goals, PHD ensured the updated rule maintains the same level of environmental health protection for Northern Idaho. This rule has already been reviewed by the Board of Environmental Quality and by the Senate Health and Welfare Committee.

Mr. Righello reviewed the rules showing the committee which parts had been removed, including redundant language found under Land Quality Control, Section 300, and permit application information that was outdated under the Superfund Site.

In answering committees concerns, **Mr. Righello** noted that although this health district isn't under DEQ, they work in unison. The health district is managed by the aquifer protection district, made up of representatives from Kootenai County. He was unaware who was the enforcement in the district. Mr. Righello explained this is a sensitive aquifer and requires special rules that are unique only to this area of Idaho.

Mary Anne Nelson, Surface and Wastewater Division Administrator for DEQ, explained to the committee that because this aquifer is a special source of water, it has additional constraints to protect the water. This is the only sensitive resource aquifer in Idaho. The process for this categorization was a public process. This is the only district that does not rely on DEQ and the Dept. of Health and Welfare. Some committee members questioned whether this rule should be obsolete and fall back under DEQ's jurisdiction. They voiced that there are too many concerns about who the actual authority should be, and why this is considered such a unique area.

MOTION: **Rep. Moon** made a motion to **HOLD Docket No. 41-0101-1900** for time certain, February 10, 2020. **Motion carried by voice vote.**

Vice Chairman Amador turned the gavel over to **Chairman Vander Woude**.

Mark Peters, Director of Idaho National Laboratory, shared that INL has had a strong fiscal year. 500 new employees will be hired this next year and INL has been evaluated 97 out of 100 by the DOE. INL's budget is growing because their goals align very well with the Administration and what the US Congress is expecting. The supplemental agreements done by the Governor, Attorney General, and DOE will help INL continue strong in the next couple years.

Ashley Finan, Director of the National Reactor Innovation Center (NRIC) at INL introduced NRIC, their mission and goals. NRIC provides innovators with necessary support to test and demonstrate their reactor concepts and assess their performance. The mission is to inspire stakeholders, empower innovators to test and demonstrate reactors, and deliver successful outcomes for the nation through the efficient coordination of partners and resources.

The committee expressed their appreciation for **Ms. Finan's** enthusiasm and positive approach to INL's goals and future projects. She was encouraged to work closely with Idaho Power and the integrative resource planning commission. Ms. Finan shared her hope that as she can help Idaho Power to participate in the demonstration phase, but also to start thinking about these advanced reactors as part of the resource planning and as part of the potential to be exporting power to the West. NRIC's current clients are primarily nuclear vendors and INL is also reaching out to utilities. Some are asking for office space in Idaho, but most do not have an Idaho presence yet. DOE is investing federal money into advanced reactor demonstrations. The workforce needs will be significant, and NRIC can be a part of this supply chain, and capture the economic opportunity in the manufacturing process.

The committee asked about previous concerns in recycling nuclear energy. **Ms. Finan**, answered that small scale recycling is happening now. Given the current U.S. policy, there isn't a business case for recycling. France has made a policy decision at the federal level to pursue recycling nuclear energy, the U.S. could do the same. **Mr. Peters** confirmed the federal policy would need to change to manage commercial recycled fuel. The technology is viable, but the question is whether its economically sound.

RS 27539: **Rep. Ehardt** and **Rep. Horman** presented **RS 27539**. Rep. Ehardt shared the resolution which recognizes the importance of research taking place at the Idaho National Laboratory in nuclear energy, clean energy technologies and national and homeland seniority as a valuable asset to the state of Idaho and the world. Rep. Horman indicated that INL is the 6th largest private employer in Idaho and has spent \$222 million dollars in Idaho businesses.

MOTION: **Rep. Mason** made a motion to introduce **RS 27539** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote. Rep. Ehardt and Rep. Horman will sponsor the bill on the floor.**

RS 27515C1 **Rep. Raybould** presented **RS 27515C1** Idaho's Right to Repair Act. This proposed legislation establishes that original equipment manufacturers (OEMs) provide consumers and independent repair businesses with equal access to repair documentation, diagnostics, tools, service parts and firmware as their direct or authorized repair providers. One problem this bill would remedy would be to remove the barrier for farmers whose tractors break down, but are on a waiting list to get an authorized repair provider to make repairs during peak harvest season. This bill does not affect retailers, product warranties, or manufacturer liability. Protection remains for copyrights, patents and trade secrets.

The committee inquired about the Senate's Right to Repair bill. **Rep. Raybould** explained that she had just heard of its existence and did not know how or if the two bills overlapped in legislation.

MOTION: Rep. Furniss, made a motion to introduce **RS 27515C1**. **Motion carried by voice vote.**

Chairman Vander Woude stated that the next meeting will be February 10, 2020, and the committee will have a final hearing on **Docket No. 41-0101-1900**.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:50 p.m.

Representative Vander Woude
Chair

Maggie Price
Secretary