

MINUTES

## HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** Thursday, March 02, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Barbieri, Vice Chairman Furniss, Representatives Vander Woude, Horman, Scott, Young, Wisniewski, Raybould, Allgood, Bundy, Lambert, Mickelsen, Redman, Wheeler, Chew, Necochea, Rubel

**ABSENT/  
EXCUSED:** Representative Chew

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Barbieri** called the meeting to order at 1:30 p.m.

**MOTION:** **Rep. Redman** made a motion to approve the minutes of the February 16, 2023 meeting. **Motion carried by voice vote.**

**DOCKET NO. 24-0501-2200F:** **Tim Frost**, Deputy Administrator for the Division of Occupational and Professional Licensing presented **Docket No. 24-0501-2200F**, a pending fee rule relating to the rules of the Board of Drinking Water and Wastewater Professionals.

In response to questions from Committee members, **Mr. Frost** noted the Senate Health and Welfare Committee had approved the rule.

**MOTION:** **Rep. Furniss** made a motion to approve **Docket No. 24-0501-2200F**. **Motion carried by voice vote.**

**Chairman Barbieri** put the Committee at ease at 1:35 p.m.

**Chairman Barbieri** resumed the meeting at 1:37 p.m.

**S 1013:** **Michael McCurdy**, Administrator for the Waste Management & Remediation Division at the Idaho Department of Environmental Quality, presented **S 1013**, legislation moving the authority of the Institutional Controls Program [ICP] from administrative rules to statute. Mr. McCurdy provided an overview of the history of the Bunker Hill Mining and Metallurgical Complex Superfund Facility. He noted the underlying purpose of the ICP is to protect locals from dangerous soil and to provide appropriate disposal options for contaminated soil for the local communities. He listed the services performed by the ICP: permitting, inspections, contractor training, database of sampling and cleanup, property disclosures and disposal. Mr. McCurdy noted all these services are free. Mr. McCurdy provided an overview of the regulatory framework changes since 1995, explaining that **S 1013** resolves legal uncertainty. He noted that **S 1013** make no changes to requirements or standards, or what is applicable. He explained that enforcement would be delegated to DEQ. Mr. McCurdy reviewed the support DEQ had received for **S 1013** from; Basin Environmental Improvement Project Commission, Bunker Hill Mining Corp, Bunker Hill Task Force, Coeur d'Alene Tribe, Hecla Mining Company, Kootenai County Commissioners, Pandhandle Health District Board of Health, Silver Valley Chamber of Commerce, Shoshone County Commissioners, Shoshone County Mayor's Coalition, Shoshone Medical Center and the U.S. Environmental Protection Agency.

In response to questions from Committee members, **Mr. McCurdy** noted that **S 1013** would permit the Department of Environmental Quality [DEQ] to delegate authority to Panhandle Health District. Mr. McCurdy noted the necessity to monitor the redevelopment of barriers and new constructions in the area. He advised the source of the dedicated funds are settlement monies, environmental remediation funds, cost recovery funds from Union Pacific Railroads, and Environmental Protection Agency funding. He noted the annual funding for each fiscal year was \$530,000.

**MOTION:** **Rep. Scott** made a motion to send **S 1013** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Scott** will sponsor the bill on the floor.

**H 235:** **Rep. Lanting** presented **H 235**, legislation to define emergency excavation and notice of emergency excavation, and establish a process for underground facility owners to carry out an emergency excavations. Rep. Lanting explained **H 235** outlines the responsibilities of the utilities during an emergency excavation and extend the validity period for surface-markings from 3 weeks to 4 weeks.

**MOTION:** **Rep. Wheeler** made a motion to send **H 235** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Lanting** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 2:08 p.m.

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Representative Barbieri  
Chair

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Jeremy Collier  
Secretary