

SENATOR HEFNER: Okay, you think then that this would probably be federal regulations? Okay, why don't we go ahead with...

SPEAKER BAACK: Senator Hefner, it is. These...it has to be that stringent to meet the federal guidelines. And the thing that we lose if we don't...if we don't meet these guidelines is the fact that we would lose...we would lose our control over...we have authorization in the state for control over our hazardous waste and underground injection control programs. We have that control in Nebraska to do that. If we don't meet these standards, we will lose that control of that and the EPA will take over control of that rather than us having control of it here in this state.

SENATOR HEFNER: Oh, yes. One more question then. How hard is it to get these penalties reduced or waived? If anybody...if anybody on the floor has had any experience in that, why I would certainly like to hear it.

SPEAKER BAACK: Well, I suppose that I...you know, you have to go to court. I would assume that you are allowed to go to court and appeal any of those kind of violations and then I would...I would guess that then it would be...if you met the standards of...if they can prove that you willfully and knowingly did it, I would...I would guess that those vio...that those penalties would then be provided for, if you willfully and knowingly did it. And as far as I'm concerned, if you willfully and knowingly did violate our environmental laws on the disposal of hazardous or toxic waste or those kind of things, I think that the penalty is very reasonable.

SENATOR HEFNER: Okay, Senator Baack, in reading this over again, may be punished by a fine of not more than \$10,000 per day. So...so, more than likely, some of those could be quite a little less.

SPEAKER BAACK: That's correct. There is no minimum.

SENATOR HEFNER: No minimum.

SPEAKER BAACK: There is no minimum in a felony provision.

SENATOR HEFNER: Okay.