

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

May 18, 1999

LB 870

counties should be able to determine their own destiny as to what they should or shouldn't have in that county. But I don't think a public hearing for a livestock facility in front of DEQ...

PRESIDENT MAURSTAD: Time.

SENATOR SCHROCK: ...would serve the purpose we want it to serve.

PRESIDENT MAURSTAD: Thank you, Senator Schrock. Senator Schmitt, on the Preister amendment to LB 870.

SENATOR SCHMITT: Yes, Mr. Lieutenant Governor, members. I guess I rise today and I'm probably going to support Senator Preister's amendment. I don't look for very many votes on it. I think the big guns are already loaded and they're going to oppose it and I think that will be the end of it. But I passed out a newspaper article that was in the Grand Island Independent this morning. When we copied that, it kind of left the "G" off of Grand Island and the "I" off of the Independent but that's where it came from. I don't have a problem with what DEQ done on that particular accident. They probably done what they were supposed to. However, with the whey that was being hauled by that truck, a by-product of milk or cheese, whichever, was spilled there and there was concern with that. It's really not a contaminant. They got concerned apparently over the diesel fuel that was there. They informed me this morning it was over 100 gallon. I called the sheriff's office, two saddle tanks on this truck, 100 gallon each would have been 200 gallon. One of them as empty, the other one was less than half full and all of the diesel did not run out so it was less than 50 gallon that they were concerned with. And so they had to dig up the soil, remove it, spend a lot of money, clean it up. I don't have a problem with that. I think that's what they should do. The sheriff didn't have a problem with that. That's what he felt they should do because it was close to water. The rest of the story is in Boone County, and I talked about this before, there is a hog confinement. It's a Class I as I understand, small one, but they have been operating since back I believe in 1997. That was when they applied for their application. They hadn't met the requirements in October 23 of '98. They were given an