

**SENATE COMMITTEE ON
TRANSPORTATION AND ECONOMIC DEVELOPMENT**

March 6, 2003
8:00 AM

Hearing Room C
Tapes 43 - 45

MEMBERS PRESENT: **Sen. Rick Metsger, Chair**
 Sen. Ryan Deckert
 Sen. David Nelson

MEMBERS EXCUSED: **Sen. Bruce Starr, Vice-Chair**

STAFF PRESENT: **Amy Joyce, Committee Administrator**
 Annastasia Suess, Committee Assistant

MEASURE/ISSUES HEARD: Informational Meeting

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 43, A		
002	Chair Metsger	Calls the committee to order at 8:10 a.m. and opens an informational hearing.
<u>INFORMATIONAL HEARING</u>		
005	Dick Pederson	Oregon Department of Environmental Quality (DEQ). Provides written testimony on the Portland Harbor Upland Cleanup sites (EXHIBIT A) .
050	Peterson	Continues discussion: <ul style="list-style-type: none">• History of the Portland Harbor clean-up accomplishments• Role of the Environmental Protection Agency (EPA)• Challenges• Concludes presentation
250	Sen. Shields	Asks about personal housing distances to the Willamette.
270	Peterson	States he is unaware, but will look into and provide the information to the members.
320	Sen. Nelson	Asks what the definition of 'up-land' is.
325	Peterson	Answers.
340	Chair Metsger	Asks about capitol and if it is considered a challenge to the clean-up of the Willamette.
345	Peterson	States there is a possibility of capitol issues and defers the question to business owners along the Willamette.
370	Chair Metsger	Asks if funding is a barrier to the progress of the clean-up.
375	Peterson	States the project would move faster with unlimited capitol.
380	Sen. Nelson	Asks about liability definitions.
385	Peterson	Responds and elaborates.
401	Chair Metsger	Asks about the federal sites along the Willamette and their liability and contributions.
	Peterson	Answers.
TAPE 44, A		

010	Dan Opalski	Director of the EPA Oregon office, Region 10. Begins discussion of the agency's involvement on the site.
100	Opalski	Continues discussion: <ul style="list-style-type: none"> • Superfund Facts • Portland Harbor • Commercial entities • Natural resources • Challenges
190	Chair Metsger	Asks for a snapshot of where the EPA is currently at in process of the clean-up.
200	Opalski	Continues discussion: <ul style="list-style-type: none"> • Process update • Status and outlook • Sampling • Economic impact • Concludes testimony
260	Chair Metsger	Asks about estimated time-lines and asks is there access to capitol to progress in the project.
270	Opalski	States there is a relation between the pace of work and availability of funds.
285	Sen. Nelson	Asks about the public perception of the EPA and how it effects the progress of the project.
295	Opalski	Responds.
310	Chair Metsger	Comments on the Superfunds projects that have been put on hold.
320	Opalski	Comments on the funding.
330	Cheryl Koshuta	Director of Environmental Affairs of the Port of Portland.
350	Sebastian Degans	Manager of the Port of Portland. Begins testimony on the significance of the Portland Harbor.
370	Degans	Continues discussion: <ul style="list-style-type: none"> • Definition of the working Portland Harbor (11.5 miles of the river)

TAPE 43, B

050	Degans	<ul style="list-style-type: none"> • Challenges • Concludes testimony
010	Koshuta	Provides testimony on the Superfund site and community partners. <ul style="list-style-type: none"> • Complexity of the river clean-up • History of the Willamette contaminations • Concludes testimony
210	Chair Metsger	Asks about the price on the three year study.
212	Koshuta	Answers.
215	Sen. Nelson	Asks how many 'orphan' sites there are along the river.
220	Koshuta	Responds.
225	Rick Applegate	Coordinator of the Portland Harbor Superfund, City of Portland. Begins discussion on the site clean-up.
300	Applegate	Continues discussion:

- Site cost estimates
- Time-line estimates
- Tribal relations
- Promoting early action for clean-up
- Concludes testimony

TAPE 44, B

020	Chair Metsger	Asks about the continuing contaminations of the city of Portland and how that partners with the clean-up of the river.
040	Applegate	Responds and elaborates.
060	Sen. Nelson	Comments on the partnerships with tribes.
065	Matt Blevins	Program Director, Oregon Environmental Council (OEC). Provides written testimony on addressing the problems of the Willamette river (EXHIBIT B) .
110	Rhett Lawrence	Environmental Advocate, Oregon State Public Interest Research Group (OSPRIG). Provides written testimony on the Portland Harbor Superfund site (EXHIBIT C) .
150	Chair Metsger	Asks about who pays for the orphan sites.
160	M. Blevins	Answers.
170	R. Lawrence	Elaborates on the funding.
178	Chair Metsger	Comments on the federal superfund allocations.
190	John DiLorenzo	Attorney. Begins discussion on 2001 proposal of HB 2210. Suggest a new approach to the resolution of the clean-up of the Willamette River.
240	DiLorenzo	<ul style="list-style-type: none"> • Potentially responsible parties • Remedial action • Proposed resolution • Advantages • Concludes testimony
450	Chair Metsger	Inquires about the legal maneuvering for the state to assume the primary position of land ownership.

TAPE 45, A

010	DiLorenzo	Provides an opinion and defers the question to the EPA.
030	Opalski	EPA. Comments.
040	Sen. Nelson	Asks how to address an unknown cost of clean-up.
060	DiLorenzo	Responds.
078	Chair Metsger	Comments on the testimony provided.
085	Chair Metsger	Closes the informational meeting and adjourns the committee at 10:07 a.m.

EXHIBIT SUMMARY

- A – Informational, written testimony, Dick Peterson, 38 pp**
B – Informational, written testimony, Matt Blevins, 3 pp
C – Informational, written testimony, Rhett Lawrence, 3 pp