

SENATE COMMITTEE ON-AGRICULTURE AND NATURAL RESOURCES

DATE: February 24, 1993 TAPES: 47 - 50 PLACE: Hearing Room C TIME:
8:00 AM

MEMBERS PRESENT: Senator Ron Cease, Chair Senator Jim Bunn,
Vice-Chair Senator Joyce Cohen Senator Bob Kintigh Senator Bob Shoemaker
Senator Gordon Smith Senator Dick Springer STAFF PRESENT: Peter
Green, Administrator Chris Warner, Research Associate Kus Soumie, Clerk
MEASURES HEARD: SB 65 PUB SB 67 PUB SB 190 PUB LC INTRODUCTION: LC
3406

THESE MINUTES CONTAIN MATERIALS WHICH PARAPHRASE AND/OR SUMMARIZE
STATEMENTS MADE DURING THIS SESSION. ONLY TEXT ENCLOSED IN QUOTATION
MARKS REPORTS A SPEAKER'S EXACT WORDS. FOR COMPLETE CONTENTS OF THE
PROCEEDINGS, PLEASE REFER TO THE TAPES.

TAPE 47 SIDE A 005 CHAIR CEASE CALLS MEETING TO ORDER 8:00 AM PUBLIC
HEARING WORK SESSION ON SB 65 & 67

WITNESSES: Don Hull Jean Cameron Dick Angstrom John Brennehan Bob
Danko Don Lindly Kristen Mitchell Senate Agriculture and Natural
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Phillip Feld Craig Starr Jeff Andrews Bob Martin Joseph Fowler Quincey
Sugarman Betsy Bailey Kay Juran Terry Witt

015 DON HULL, DOGAMI, offers testimony on SB 65, and presents overview
of EXHIBIT B.

- need to clarify statute to prevent conflict of interest provisions
that may occur in the future - changes in qualifications for the
position of State Geologist

159 HULL: - continues testimony on SB 65, and overview of EXHIBIT B (a
section by section analysis of provisions in the bill.

167 SEN SMITH: I have some concerns with Section 8. It would be a good
thing if every person in state government had some experience in the
fields regulated by them. In a field as technical as State Geologist, it
would be advisable to have experience in the mining industry.

177 HULL: Without exception those who preceded me had practical
experience in the industry. Those on our staff do not have direct
experience in mineral and mining. However those who work in our office
need to have experience in those areas.

206 CHAIR CEASE: Could you give the committee a sense of what DOGAMI
does in Oregon.

234 HULL: Gives overview of major activities within DOGAMI

244 CHAIR CEASE: What is going on around the nation within the realms
of earthquake and tsunami and related geologic hazards?

250 HULL: These activities are becoming a larger priority of DOGAMI.

264 SEN COHEN: Suggests language for line 18 and 20.

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288 HULL: - presents overview of EXHIBIT C (proposed amendments to SB 190).

374 JEAN CAMERON, Oregon Environmental Council, gives testimony on SB 190 and presents overview of EXHIBIT D.

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005 CAMERON: - continues testimony on SB 67 & SB 190 and overview of EXHIBIT D. - suggested language for SB 190 definitions for "basic and essential" needed - overview of EXHIBIT D newsletter "Clementine" illustrating the effects of heap leach mining - 95 million gallons of polluted water - 19 million dollars to clean up mining sites 085- overview of proposed amendments to SB 190 - careful attention in mining policy needed in Oregon - Neumont Mining's desire to meet Oregon's tough standards for cyanide heap leach mining - language suggested by us would keep statutes that reflect the concerns of Oregon citizens

120 DICK ANGSTROM, Managing Director, Oregon Concrete and Aggregate Producers Association, offers testimony on SB 190, and presents overview of opposition to the bill.

- reclamation balances and conflicts - deletions to SB 190 are an insult to the aggregate industry

151 JOHN BRENNEMAN, Numont Mining Corporation, offers testimony on SB 190.

- mining operations in Vale Oregon will continue with stringent mining - conditions for mining operations should not become more stringent - concern with deletions in the language - will make every effort to meet zero standards for our operation - 2 years till mining operation begins due to the permitting process - jobs provided will be full time with full benefits

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196 SEN BUNN: If we leave existing language with some additional language to lines 7 and 11 would that be acceptable?

204 ANGSTROM: I would object to the bill in total.

- cites examples of problems in language dealing with reclamation

227 SEN COHEN: I don't think this bill would apply to you. Other mining operations don't have Goal 5.

241 ANGSTROM: I understand that. If language were restored, and additional standards and clarifications were made, that would be OK.

263 BRENNEMAN: If some more work is done on the bill's language, my interests might approve.

271 SEN COHEN: We have heard from 2 branches of the mining industry. We need to hear from other elements of the industry also.

308 ANGSTROM: We would not object to meeting with Mr. Green and working out some language.

INTRODUCTION OF COMMITTEE LC

MOTION: Chair Cease moves the introduction of LC 3406

VOTE: Hearing no objection, MOTION CARRIES

ACTION: LC 3406 introduced into the committee

PUBLIC HEARING ON SB 67

380 BOB DANKO, DEQ, offers testimony on SB 67 and SB 190, and presents overview of EXHIBIT F.

- presents history of proposed legislation

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TAPE 47 SIDE B

005 DANKO: - continues testimony on SB 67 and SB 190, and overview of EXHIBIT F.

062 - Questions from committee members to Danko

114 DANKO: - continues testimony on SB 67 and SB 190, and overview of EXHIBIT F. 120 SEN COHEN: What drives the Household Hazardous Waste program budget? 125 DANKO: 60 - 70 percent of our budget is disposal

- quantity of hazardous material depends on number of people turning in waste publicized events could overwhelm our household hazardous waste budget - there is support and demand within and out of Metro Area - 5 percent of households show up for our events - 91 pounds of hazardous waste per person - 25 percent of the oldest products are over 10 years old permanent collection facilities needed

144 DANKO - continues testimony on SB 190, and overview of EXHIBIT F.

- cost approximates \$139.00 every time a car pulls into one of these events - cost too high to collect hazardous wastes from all households - discussion of 1992 work group for household hazardous wastes - shift in program focus needed from collection to education - options for front end fee collection (surcharge for retailers)

302 SEN SMITH: Suggests alternatives for participation incentive to fund program.

332 DANKO: - continues overview of 1992 interim House hold hazardous waste work group - overview of SB 67 provisions 360 SEN SHOEMAKER: What is the meaning of "discourage use". 367 DANKO: Paint manufacturers acknowledge that many products sold could be

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eliminated from the market place and not affect quality or performance. - discussion among members regarding language "discourage use of"

TAPE 48 SIDE B

005 CHAIR CEASE: - continues discussion with members on language "discourage use of" used in SB 67 and EXHIBIT F.

018 SEN SPRINGER: Many people now want to use alternative products.

024 SEN SHOEMAKER: I am concerned about confusing the issue with discouragement of product use in the bill. How do we construct a fee situation that will encourage appropriate disposal of hazardous household wastes? If collected at the source, should we charge per product?

094 DANKO: - continues testimony on SB 67, and overview of EXHIBIT F.

- page 23 line 21 in EXHIBIT F - proposed education program overview - proposed fees for retail as separate from disposal - overview of 93-95 biennium budget - cost of fee collection is 20 percent of proposed budget

257 DON LINDLY, AOC (Association of Oregon Counties), offers testimony on SB 67, and presents overview of the Association's position on the bill.

- landfill closure costs and hazardous waste disposal issues - industry and retailers should pay for disposal of hazardous waste - support exists for hazardous waste program

396 KRISTEN MITCHELL, OSSI, offers testimony on SB 67, and presents overview of EXHIBIT G.

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014 MITCHELL: - answers questions and continues overview of proposed . These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. . Senate Agriculture and Natural Resources February 24, 1993 Page 7

amendments in EXHIBIT G.

108 MITCHELL: We have come before you to talk about alternatives with all interested parties. We want to end the household hazardous waste program on a state-wide level and return it to local jurisdictions. We are certainly willing to consider other alternatives to take care of the

program. A returnable bottle bill fee would take care of one of those alternatives. The retail groups might be less interested in previous amendments than the one we are proposing at this time.

122 SEN COHEN: I do not expect wastes be returned to the retailer, as we have talked before with pesticide bottles. I am talking about returning the solid waste to a local government operated disposal site, and would demand that you as an industry do as part of this program.

129 MITCHELL: Would the fee be incurred at the time of purchase? How would the fees be transferred? What would be the mechanism for this program?

136 LINDLY: There would be some interest and there has been some discussion about that kind of option. It is worthy of more investigation.

140 PHIL FELL, League of Oregon Cities, offers response to discussion on SB 67.

- LOC would be interested in seeing that pursued - LOC's primary interest is keeping hazardous waste out of land fills - need to clarify any liability that may be incurred

159 SEN KINTIGH: A local merchant is adding a percentage to the costs of work in his shop to cover his costs. That has made me aware of disposal costs for household hazardous wastes.

180 MITCHELL: - continues testimony on SB 67, and overview of EXHIBIT G.

213 CRAIG STARR, Lane County, offers testimony on SB 67, and presents overview of EXHIBIT H.

- we are trying to influence people's choice in purchasing - tipping fees can no longer be avoided by citizens - those selling hazardous materials should share disposal costs - decisions should be made at the front end - These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. _ Senate Agriculture and Natural Resources February 24, 1993 Page 8

267 SEN COHEN: At the retail level, how will we go about charging the consumer for buying hazardous materials?

- what is a fair method of collection - concern on the front end fee for citizens and retailers

296 MITCHELL: From my understanding, DEQ adopts standards and rules and creates a generic list of hazardous wastes. If you sell the product, then you would pay the fee based on the gross sales, that is my reading of the bill.

300 JEFF ANDREWS, Manager of 2 Garbage Companies and Landfill Operator, offers testimony on SB 67, and speaks to previous testimony.

- ideas for local participation

TAPE 50 SIDE A

005 ANDREWS: - continues testimony on SB 67, and overview event process for recycling hazardous materials

- we are aware of risk involved and are willing to take them overviews process for disposal of hazardous wastes - waste exchange started - costs for "events" outlined - "events" cost 20,000.00 for 2 per year - proponent of front end cost recovery - costs need to be matched to the problem - promotion for "events" outlined

120 BOB MARTIN, METRO, offers testimony on SB 67, and presents overview of EXHIBIT 1.

- outlines costs for facility and operation of METRO's Hazardous Materials program

154 SEN BUNN: Do you have a contingency plan if numbers drop?

157 MARTIN: Yes, we would be able to handle it very easily.

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178 MARTIN: There is no indication that people will stop disposing of their Hazardous Materials improperly if there is a front end fee,

- educational aspects to the bill are important - user fee info - tipping fee surcharge

267 JOSEPH FOWLER, Coalition of Local Health Officials, offers testimony on SB 67, and presents overview of EXHIBIT 1.

280 QUINCEY SUGERMAN, OSPIRG, offers testimony on SB 67, and presents overview of EXHIBIT J

- recommendations for funding of programs

340 BETSY BAILEY, Oregon Food Industries, offers testimony on SB 67, and presents overview of EXHIBIT K.

- questions from committee members

TAPE 49 SIDE B

005 BAILEY: - continues testimony on SB 67, and overview of EXHIBIT K.

- overviews front end fee problems

072 KAY JURAN, Oregon Food Industries, offers testimony on SB 67, and presents overview of EXHIBIT L.

- questions from Cohen and committee members

128 TERRY WITT, Oregonians for Food and Shelter, offers testimony on SB 67, and presents overview of EXHIBIT L.

- front end fee is a disincentive to minimize hazardous product use -
- concept of proper disposal is good - concerns with creating new systems
- misuse of mechanisms (used for unintended purposes)

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EXHIBIT LOG:

A - Information Packet- Committee Staff - 31 pages B - Testimony on SB 65 - Don Hull - 3 pages C - Testimony on SB 190 - Hull - 1 page D - Testimony on SB 190 - Jean Cameron - 17 pages E - Testimony on SB 190 - Hallet - 1 page F - Testimony on SB 190 - Danko - 14 pages G - Testimony on SB 67 - Lindly- 2 pages H - Testimony on SB 67 - Starr - 1 page I - Testimony on SB 67 - Martin - 1 page J - Testimony on SB 67 - Sugarman - 5 pages K - Testimony on SB 67 - Baily - 2 pages L - Testimony on SB 67 - Juran - 2 pages

Submitted by:
Assistant

Reviewed by: Kus Soumie
Administrator

Peter Green

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