

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

DATE: April 26, 1993 TAPES: 136 -139 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
Shirley Gold MEMBERS EXCUSED: Senator Gordon Smith

STAFF PRESENT: Peter Green, Administrator Chris Warner, Research
Associate Kus Soumie, Clerk MEASURES HEARD: SB 911 PPW SB 1004 PPW SB
557 PUB SB 753 PUB 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 136 SIDE A
005 CHAIR CEASE CALLS MEETING TO ORDER- 8:00 AM PUBLIC HEARING WORK
SESSION ON SB 557 WITNESSES: Diane Regoliati, Cully Association of
NeighB ors Eiwin Bergwan Cully Association of NeighB ors Helen Grant,
Cully Association of NeighB ors Jack Dixon, Cully Association of NeighB
ors Craig Starr, Lane County

019 DIANE REGOLIATI, CAN, gives testimony on SB 557 & 753.
060 EIWIN BERGWAN, CAN' gives testimony on SB 557 and SB 753.
084 HELEN GRANT, CAN, gives testimony on SB 557 & 753, and suggested
amendments. Senate Agriculture and Natural April 26, 1993 Page a 120
JACK DIXON, CAN, gives testimony on SB 557 and 753.

153 CRAIG STARR, Lane County, gives testimony on SB 557 and SB 753, and
presents overview of EXHIBIT A.

PUBLIC HEARING ON SB 1004

WITNESSES: Dianna Godwin, Regional Disposal Jerry Yudelson, Regional
Disposal Judy Wyers, Metro Boh Martin, Metro Lexus Johnson, Oregon Hydro
Carhon David Luneke, Regionai Disposal Brian Bowe, ATEC Environnnental
Consultants Chris Wohlers ATEC Brent Leathers, Leathers Oil Co. John
Lowe, Oregon Metals Industry Council Kenneth Novack, Schnitzer Steel
Industries Inc. Joseph Cassin, Tualitin Valley Waste Recovery

180 DIANNA GODWIN, Regional Dispusal, gives testimony on SB 1004, and
presents overview of EXHIBIT B & C. (hand engrossed amendments to SB
1004) 200 JERRY YUDELSON, Regional Disposal, gives testimony on SB
1004, and presents overview of EXHIBIT D, history and concerns addressed
in proposed legislation. - our concern is reducing the number of
cleanups and increasing cost - no need tor tax at this level in dealing
with soil contamination 324 GODWIN: - overview of contaminated soil
before it arrives at landfill

TAPE 137 SIDE A

005 CHAIR CEASE: I would like to address the issue of the kinds of
treatment versus the larger economic question of cost. Is a large part
of this the cost or YUDELSON: Yes, this would add to Metro's taxation
about 50 percent of the cost of the cleanups, which impacts 2 things:
The volatilization of material into the urban air shed and some projects
are not being undertaken and the contamination is just sitting
underground. 020SEN SHOEMAKER: I would like to declare a conflict of
interest due to a client that may have a storage tank problem.
031 JUDY WYERS, METRO, Presiding Council Officer, gives testimony on
SB 100 7, and presents overview of responsibility of Metro in Portland

area to encourage recycling. - Senate Agriculture and Natural Resources
April 26, 1993 Page 3

- rewards for recycling are given through Metro policy - Regional Disposal's request for level playing field not within Metro recycle/reuse efforts - overview of Metro Charter's system for agency operating revenue and procedures

080 VICE-CHAIR BUNN: Is it better to use virgin soil to cover solid waste than to use contaminated soil? Metro says they don't want contaminated soil used in land fill, and would rather have it "cooked"

095 BOB MARTIN, METRO, Solid Waste Department, gives testimony on SB 1004, and presents overview preference for uncontaminated soil as landfill cover material. - leaching from petroleum contaminated soils may damage clay/plastic liners, threatening landfill integrity - overview of handling procedure for contaminated soil - cost is \$550,000.00 per year with implementation of proposed legislation 141 - questions from committee members 147 MARTIN: - answers question on impacts of air contamination - soil can be taken to a processor (cooker) - after cooker's soil is free of bacteria - there is no user fee for treatment only when it goes into a land fill 184 SEN SHOEMAKER: I have problems with micro-management of METRO and thought this would be taken care of with the charter. 197 WYERS: This exact problem is on Metro's agenda. 204 LEXUS JOHNSON, OR. Hydrocarbon, gives testimony opposing SB 1004, and overviews EXHIBIT E. - overview of "cooking" process - treated soil used by customers - gasoline contaminated soil not entirely treatable - records kept for all material treated and released - if SB 1004 becomes law our business may be told

TAPE 136 SIDE B

005 DAVID LUNEKE, Cascade Pacific Engineering, Regional Disposal Co., gives testimony on SB 1004, and presents overview of EXHIBIT F. - summary of incorporation of landfills and processing - best management practices and existing risks involved in processes 113 BRIAN BOWE, ATEC Environmental Consultants, gives testimony on SB 1004, and presents overview of EXHIBIT G. Senate Agriculture and Natural Resources April 26, 1993 Page 4

190 CHRIS WOHLERS, ATEC Environmental Consultants, gives testimony on SB 1004, and presents overview of technical aspects of soil aeration. 217 BRENT LEATHERS, Leathers Oil Company, gives testimony in favor of SB 1004, and presents overview of the industry's position on the hill. 252 JOHN LOWE, Oregon Metals Industry Council, gives testimony on SB 1004. 250 KENNETH NOVACK, Schnitzer Steel Industries Inc., gives testimony on SB 1004, and presents overview of EXHIBIT H.

TAPE 137 SIDE B

005 NOVACK: - continues testimony on SB 1004, and overview of EXHIBIT H.

SEN SHOEMAKER: With Metro's home rule authority, adoption of a Charter and there is a legislature within Metro, which will consider this very same question, why are we considering this? Didn't we ask Metro to take care of these things for itself? This is just duplication of effort, to micro-manage a Metro problem. Why are we doing this? If you feel that the parts of the system aren't working, tell Metro.

022 TOM LINDALL, Chair, Technical Action Group Inc., gives testimony supporting SB 1004. 089 JOSEPH CASSIN, Tualitin Valley Waste Recovery, gives testimony supporting SB 1004.

PUBLIC HEARING; ON SB 911

WITNESSES: Paul Heikkila, Tri-State Crab Commission Jim Erwin, Tri-State Crab Commission Ken Martinson, Commercial Fisherman Johnnie Brown, Crag Marketing Alliance Kay Brown, Oregon Department of Fish and Wildlife Gary Frederick, Captain, Seahreeze II Ralph Reinertson, Commercial Fisherman Robert Manning, Commercial Fisherman Kevin Bastian, Newport Fisherman Richard Bolton, F/V TASU Craig, Bolton, F/V TASU Mike Pettis. Challenge Inc. Brian Peterson, F/V Capt. Raleigh Robert Cyr, R & C Fisheries Inc. Robert Wonson~ F/R Deacon

100 PAUL HEIKKILA, Tri-State Dungeoness Crab Committee, gives testimony supporting SB . Senate Agriculture and Natural Resources April 26, 1993 Page 5

911 , and presents overview of EXHIBIT 1.

216 JIM ERWIN, Tri State Dungeoness Crab Committee, gives testimony supporting SB 911. 225 ALLEN GAHN (SP?), Warrenton Fisherman, gives testimony supporting SB 911 , and presents overview of crabbing industry problems. 269 SEN SHOEMAKER: I am concerned that you are trying to create a guild with this legislation. 284 KEN MARTINSON, Commercial Fisherman, gives testimony supporting SB 911, and overview of crabbing industry problems. 320 JOHNNIE BROWN, Crab Marketing Alliance, gives testimony supporting SB 911 , and overview of industry concerns and problems. - the industry is in complete chaos 378 KAY BROWN, ODFW, gives testimony on SB 911, and presents overview of EXHIBIT J. - overview of recommendations and requested amendments

TAPE 138 SIDE A

006 BROWN: - continues testimony on SB 911, and overview of EXHIBIT J. 025 GARY L. FREDERIC, Captain of Seabreeze 11, gives testimony opposing SB 911 , and presents overview of suggestions for the crabbing industry. - fees have been raised as many as 75 times in the last ?? years - permits now cost thousands per year (2 percent of his gross revenue) 097 RALPH REINERTSEN, Commercial Fisherman, gives testimony opposing SB 911. - jobs will be lost if this legislation passes 140 ROBERT MANNING, Commercial Fisherman, gives testimony opposing SB 911, and presents overview of the condition of the commercial crabbing industry in Oregon. - longline fisheries are being limited - a monopoly or "guild" will be created if proposed legislation passes 210 KEVIN BASTION, Newport Fisherman, gives testimony opposing SB 911. 220 RICHARD BOLTON, F/V TASU, gives testimony opposing SB 911. - California point system overviewed and suggested as a viable system 273 CRAIG BOLTON, F/V TASU, gives testimony opposing SB 911, and overview of problems in proposed legislation.

Senate Agriculture and Natural Resources April 26, 1993 Page 6

307 MIKE PETTIS, Challenge Inc., gives testimony opposing SB 911. - suggests amendments to page 1 line 8 and Page 2 line 2 of proposed legislation - limited entry process is unfair 395 BRIAN PETERSON, P/V Capt Raleigh, gives testimony opposing SB 911, and overview of problems with the proposed legislation as drafted.

TAPE 139 SIDE A

005 PETERSON: - continues testimony on SB 911. 030 ROBERT CYR, R & C Fisheries Inc., gives testimony opposing SB 911, and overviews suggested solutions to problems with limited entry into crabbing industry. - proposed legislation is t'ull ot'holes 070 ROBERT E. WONSON, F/R Deacon and Self, gives testimony opposing SB 911, and overviews problems with limited entry. 102 HEIKILLA: - addresses the comission system - cut ot'f date would minimize speculation within industry 119 CHAIR CEASE ADJOURNS MEETING AT 10:45 AM

EXHIBIT LOG:

A - Testimony on SB 753 - Starr - I pages B - Testimony on SB 1004 - Stat'f - 3 pages C - Testimony on SB 1004 - Gociwin - 2 pages D - Testimony on SB 1004 - Yudelson - 5 pages E - Testimony on SB 1004 - Johnson - 14 pages F - Testimony on SB 1004 - Lundke - 4 pages G - Testimony on SB 1004 - Bowe - I pages H - Testimony on SB 1004 - Novack - 4 pages I - Testimony on SB 911 - Hekkila - 23 pages J - Testimony on SB 911 - Staff'- 2 pages K - Testimony on SB 911 - Brown - 38 pages

Submitted by: Reviewed by: Kus Soumie Peter Green
Assistant Administrator