

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.

HOUSE COMMITTEE ON ENVIRONMENT AND ENERGY

May, 22 1991Hearing Room E 1:00 p.m. Tapes 178-??

MEMBERS PRESENT:Rep. Parkinson, Chair Rep. Whitty, Vice-Chair Rep. Burton Rep. Courtney Rep. Naito Rep. Norris Rep. Repine Rep. Van Leeuwen Rep. Watt

MEMBER EXCUSED: ?Sen./Rep. Name

VISITING MEMBER:?Sen./Rep. Name

STAFF PRESENT: Kathryn VanNatta, Committee Administrator Evie Redler, Committee Assistant ?Name, Legislative Counsel

MEASURES CONSIDERED:INF Dioxin overview HB 3570 (WRK) SB 864 (PPW) SB 783 (PPW) SB 93 (PPW)

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.

TAPE 178, SIDE A

004 CHAIR PARKINSON calls the meeting to order at 1:23 p.m.

INFORMATIONAL HEARING ON DIOXIN OVERVIEW

DOUGLAS MORRISON, NORTHWEST PULP AND PAPER ASSOCIATION: Introduces the panel.

019 KATHY GILL, NW PULP AND PAPER: 1. 2. Brief overview of the fear of dioxin. 3. Encourage the committee. -History of Dioxin, agent orange, love canal, times beach are a few of the negative sounds. -found also in nature. -study to find how dioxin got into paper products 1988 -By 1990 voluntary efforts have cut down to 1%

MORRISON: Who filed petition? these two companies -Researchers have dramatically reduced fear of dioxin, safe for humans. There is a threshold of exposure. -Washington state reevaluated the effects, the risk is over 3,000 times less than Oregon's standard.

whitty: What are comparable standards to Oregon.

MORRISON: 0.013 parts per quadrillion.

park: Can you measur that small of an amount?

MORRISON: No, you can see 1 part but that is with a million dollar piece of machinery.

whitty: must have been able to at some point.

MORRISON: The object is to get everyone down to that level of detection.

naito: How dioxin comes about and what are the effects?

MORRISON: Part of the leaching process of improving the quality of the pulp. The use of chlorine is the main culprit of dioxin.

whitty: Please explain pulp and what happens with the dioxin?

140 MORRISON: The pulp is a ...substance. if the dioxin goes into the water it may effect the fish. We need to find out the effects on the fish.

norris: If all these dioxins were collected in one area, how big would it be?

CAROL WHITAKER, JAMES RIVER CORP:

naito:

181 MORRISON: All paper products are safe for use and a few molecules of dioxin will not cause risks that would be noticable. -Overview of position: lot of changes in scientific studies., the mills here in Oregon have voluntarily made changes to reduce dioxins but we need to reevaluate for DEQ to make a decision.

220 DICK NACHB AR, BOISE CASCADE CORPORATION: Personal involvement of dioxin has included a number of leadership roles on this issue. -Beneficial uses of water protected -Available scientific research needs to be used. -Boise Cascade is already using best available science to reduce numbers of dioxins.

267 WHITAKER: James River Corp is actively supporting... because the existing standard does not reflect scientific thought. -With the best technology available, still not sure if they meet qualifications. -The data currently available does not meet the restrictions. -Levels of dioxin found in the fish in Columbia river are low enough to not have an effect on humans. -Study done on lake... should not be policy here since the water level is much lower and restrictions there are much lower.

GILL:

van l:

??? pulp and talbit,

naito:

MORRISON: The companies represented here today have been presented permits for dioxin levels. We would like to look at the standards again in a public arena.

naito: Does anyone look at the problems in the water?

Tape 179, Side A

MORRISON: Yes, this is a water quality standard. At any point of the water should not go over that standard. -reduced concerns -EPA is re lookin at their own standards.

054 LYDIA TAYLOR, DEQ: The commission would accept a petition from anyone. The question would be should the DEQ accept it.

park: EPA does not set policy in Oregon?

TAYLOR: Water quality standards are set state by state. States may be overruled if not strict enough.

norris: If epa denied the postion, then what?

TAYLOR: dont know

norris: if the petition is accepted, would it go to the public?

TAYLOR: We have already had extensive public participation on this issue.

norris: Would you test for person's credibility from a scientifec point of view.

TAYLOR: We would be very careful.

park:

TAYLOR: The standard that we adopt need to be credible. If they are frivolous they wouldn't stand up in court.

park:

TAYLOR: Not to my knowledge.

repine:

TAYLOR: The standard is developed to protect the water. if it is not measurable at the plant, it still may be measureabld in the water.

repine: EPA report sceduled to be completed?

TAYLOR: Possibly two years.

van l: specifically wasn't the ... asking Pulp and Talbit to meet a standared that was not measurable?

TAYLOR: The current standard is not measurable in the water column.

van l: ours is higher than epa?

TAYLOR: epa doesnt' have standard

park:

TAYLOR: You can measure dioxin in the sludge that is removed from the plant. Permit holders have the option of measuring by other methods.

park:

TAYLOR: EPA suggested the DEQ standard. You may find variety from state to state.

222 norris: Submits testimony on Dioxin effect (EXHIBIT B).

van 1: Submits testimony (EXHIBIT C)

HB 3570- WORK SESSION

Staff submits dash 14 amendments to HB 3570 (EXHIBIT D ) (LC 404 4) dated 5/21/91. -Dash 15 amendments to HB 3570 (EXHIBIT E) (LC 4044) dated 5/22/91 for the Farm Bureau. -Dash 16 amendments to HB 3570 (EXHIBIT F) (LC 4044) dated 5/22/91 for the Oregon Association of Realtors. -Dash 17 amendments to HB 3570 (EXHIBIT G) (LC 4044) dated 5/22/91 for the Forest Industry Council.

park: Would like to adopt the dash 14 amendments.

MOTION:van 1: Moves to adopt dash 14 amendments.

VOTE: no objections, so moves.

DON SHILLENBURG: Explains dash 15 amendments (EXHIBIT E).

MOTION: naito moves dash 15 amendments to dash 14 amendments.

VOTE: no objections, so moves.

385 KELLY ROSS, OREGON ASSOCIATION OF REALTORS: Explains dash 16 amendments (EXHIBIT F). -Should allow land for non-farm uses.

van 1: Thought dash 14 allowed for those uses.

ROSS: Yes, but it does not allow the property to be split. You must farm the whole land. -line 11 of dash 16 subsection 3 should be subsection 2.

repine: do you really mean...

kathryn: Dash 14 amendments delete sections 21 and 22.

Tape 178, Side B

DEBRA WEAVER,??? : The urban researve... should not be a part of the 2nd land bill. Local government is the appropriate place where these decisions should be made. Undermines the credibility of...There are less drastic measures.1. 2. local govt could...3. local govt should address this during periodic review.

103 park: The builders and the realtors seem to disagree. These issues need to be drafted in amendments.

van l: difference between real value and ....did they mean to delete sections 66 and 67?

norris: "NOTE:" in amendment says that sections were deleted but they aren't.

ROSS: Reccomend deletion.

152 JOHN CHANDLER, MEMBER OF FRINGES??: Support original dash 14 amendments.

171 JANE MYERS, FOREST INDUSTRY COUNCIL: Explains dash 17 amendments to HB 3570.

norris: Questions this as a land use decision.

Myers:

van l: Set back usually refers to the set back from the road. Are you refering to the road or the nearest forest.

Myers: It is meant to be 500 feet from the nearest forest. 253 repine: Concerned with the term adequate in the amendments. Could a house be adequately protected on it's own with sprinklers and what not?

Myers: We could provide wording for that.

repine: Section (C) in the amendments. Do the standards of roads apply to driveways?

Myers: Yes, the driveway needs to be accessable to fire fighting equipment.

repine:

burton: Is there in law a defintion of a minimum level of fire protection in a rural district?

Myers: Did not ask Legislative Council.

whitty: My house does not comply with any point in your amendments.

400 MYERS: When you build a home in secondary lands there needs to be some thought going into trying to protect it from fire.

park: These amendments need to be cleaned up.

courtney: Do these amendments follow last sessions bill on forest fires?

MYERS: Not sure what bill you are refering to.

norris: do we have a bill to address this under forestry?

MYERS: dont beleive so.

Tape 179, Side B

DAVE MOSHOFSKI, OREGON IN ACTION: Testifies in opposition to dash 17 amendments.

SB 864- WORK SESSION

030 JIM ANDERSON, PACIFIC POWER: Submits testimony (EXHIBIT H).

040 BILL GRIFFITH, PACIFIC POWER: Summarizes testimony (EXHIBIT H).  
-Customers benefit from SB 864 because the power is less expensive.  
-Discusses three steps described on page two of written testimony.

park: If the building is demolished does...

GRIFFITH: There may be some situations...

park: If the building was made into something else.

GRIFFITH: There may be some situations in which the company may not rec..

JIM FELL,...: In some circumstances it may be appropriate for the owner to pay for...

burton:

FELL: when there is a default on a loan and the bank forecloses on the property, the subsequent owner would need to make payments on the subsequent power...It may end up as a loss to the power company.

burton: is this structured as a lean?

FELL: No.

park: will there be a separate lin..

FELL: Yes.

naito: is this tied only to the use...

FELL: There is a contract signed. the measures are the land owners property.

naito: If the land is destroyed would the owner be liable for the ...

FELL:

norris:

FELL: the purpose of the...

norris: If i made a contract with you and then sold could the new owner chose to not use this?

FELL:

norris: I don't think that you can make a contract legal through someone else if you sell the property.

FELL: when the new owner subscribes for power

200 norris: ESC is required to collect....

ANDERSON:

repine: Is this requirement going to be able to be accelerated?

ANDERSON: the customer is able to buy out..

BILL WARREN, PUBLIC UTILITY COMMISSION: Offers

FRANK BRONNER, OREGON BANKERS ASSOCIATION: Open to answer any questions.

MOTION: Rep. whitty moves SB 864 to the floor with a do pass recommendation.

263 repine: This fills the missing peice...making homes more energy efficient.

VOTE: 8-0 with Rep. van l excused.

Chair park recesses the hearing at 3:13. Reconvenes at 3:35pm

SB 783- PUBLIC HEARING

SEN. JANE CEASE: Testifies in favor of SB 783 and submits written testimony (EXHIBIT I). The Washington legislature has not passed ...We are supposed to ship it? over on the safest route but we have not been able to. Any material that needs to be moved would continue to move on 30 to hook up with I205.

park: Is this high level radio active waste? This doesn't deal with the low level waste?

MIKE GRAINEY, DEPARTMENT OF ENERGY: Submits testimony (EXHIBIT I) This bill is intended to deal with only materials from Trojan Nuclear Plant. Washington refuses to allow any waste from Trojan on I-5.

007 norris:

036 park: This bill will cover the high level but has nothing to do with Hanford or WY chang???.

SEN. CEASE: That is correct.

park:

SEN. CEASE: Even the low level waste will be transported in special...We need to assure that they travel on the safest route.

park:

SEN. CEASE:

063 van l: do we have to pass a bill for this to happen.

GRAINEY: It is not clear that we have that authority currently. It is one that we need to clarify. -Reluctant to seek Federal...to convince the Washington legislature to consider this.

park: Rail by trojan?

GRAINEY: Yes, however

norris:

WORK SESSION:

MOTION: to floor do pass

VOTE: 8-0 Rep. Burton excused.

SB 93- WORK SESSION

kathryn: Explains the bill. submits amendments b10 (exhibit k) and b8 (1)

178 MIKE GRAINEY, DEPARTMENT OF ENERGY: testifies in favor of SB 93. Accepts both B10 and B8 amendments.

norris: did we adopt the dash B8 amendments last time?

GRAINEY: No, I don't believe that we did.

227 PAUL COSGROVE,???: Supports D10 amendments.

GEORGE RICH, ???: Supports B8 amendments.

XXX: Supports SB 93 with both sets of amendments.

van l: On page three of B10 amendments ...

COSGROVE: You can have another plant. It just restricts..

MOTION: moves the B10 amendments to the b engrossed bill VOTE: MOTION: b8 amendments vote: no objections, so moved motion: to floor as amended

van l:

GRAINEY:

VOTE: 8-0 Rep. Burton is excused.

Chair Parkinson adjourns the hearing at 4:07pm.