

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 27, 1991Hearing Room E 1:00 p.m.Tapes 184 - 1

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

PRESENT: Kathryn VanNatta, Committee Administrator Andy Sloop, Committee Assistant ?Name, Legislative Counsel

MEASURES CONSIDERED: SB 66 (WRK)

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TAPE 184, SIDE A

06CHAIR PARKINSON: Calls the meeting to order at 1:17 p.m. Representatives Naito and VanLeeuwen not present and excused.

WORK SESSION - HB 66 Witnesses:???????

08VANNATTA: Reviews amendments.

(nai: arrives 1:20)

31GORDON FULTS, LEAGUE OF OREGON CITIES: Explains the das 42 amendments. ???

37DELAN KEYS, SOLID WASTE MANAGER, WASHINGTON COUNTY: ????

45whi: Will you support this method of collection when it comes up for review in 1993?

48ful: ????

52whi: If we don't do the right thing, we'll have another initiative.

55ful: ????

61bur: Are you concerned that DEQ's existing program is not effective?

65ful: We agreed last session to that pilot, with understanding that DEQ would explore alternatives.

70bur: Did the pilot program work?

72ful: Not completed yet.

73bur: How long is it supposed to take?

75key: ???

84bur: Section 51 of the bill talks about a statewide contract. Would that be an expansion of the pilot program?

93key: ????

95bur: So why is this an expansion?

96key: Good question.

97bur: But that's your case.

99key: ???

101 MIKE DEWEY, ????: ????

107 par: Sounds like th eprogram is limited, but the bill would be applied statewide.

110 dew: The pilot project does go beyond the metro area.

114 cou: Would clean-up of meth labs be addressed through this bill at all?

126 BOB DANKO, DEW: Distributes an internal e-mail (ex a). ????
Household hazardous waste program really does a good job of educating citizens, and it's important. This bill would double funding for the education component of household hazardous waste, and household hazardous waste must be addressed comprehensively at the source. Continuing and expanding pilot program will allow the department to target program better.

165 par: ???

169 dan: Have gone through competitive local application process.

174 nor: In defending Section 51, would we also be defending the proposed 50 cent increase in tipping fees?

178 dan: ???

181 par: ????

183 dan: It's just about the same.

185 rep: Seems either pilot program has fallen short or that it has been a great success. Given apparent conclusions, why extend pilot?

195 dan: ????

201 rep: So the assumption is that pilot program has been successful, so shouldn't it be left alone until 1993 when DEQ is supposed to report back to the Legislature?

210 dan: Expanding will give better results and allow for better program development.

218 rep: ???

221 dan: DEQ went through advisory committee process to develop legislative agenda. ????

232 JOEL ARYO, OSPIRG: Support expansion of household hazardous waste pilot because it keeps hazardous waste out of landfills. Most collection programs generate positive public response and participation. Better education and promotion will yield better results. Household hazardous waste is an important issue that should be addressed this session vigorously. This is the kind of program that has a broad-based support from environmentalists to business.

271 JIM WHITTY, AOI: Public has demonstrated interest in this program.

(van: arrives 1:40)

278 whi: Need comprehensive collection mechanisms so that recyclable materials can be recovered from households and kept out of landfills. Industry will pay for this through increased tipping fees, but still support in interest of the state.

297 wat: No question that household hazardous waste collection is good program, but local tipping fees for hazardous waste collection and disposal are driving up costs. What's the big picture, and how do state and local fees and programs dovetail?

315 dan: ??? Costly for communities to contract for household hazardous waste collection and disposal. State can operate this kind of program more cost effectively.

336 wat: Should we convince counties not to charge additional tipping fees, and let the state manage this function?

340 dan: Eventually will need local-state partnership.

349 wat: How many counties are charging a tipping fee for household hazardous waste collection and disposal statewide?

355 dan: Not sure, but local programs and fees tend to supplement state program.

369 aro: The consensus effort on the Senate side won virtually unanimous support, and don't want to jeopardize that.

397 nai: ????

406 rep: moves B42 amendments.

417 nor: We would be voting to eliminate Section 51, which would ????
Never heard a middle ground on this. Did I mis something?

TAPE 185, SIDE A

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21dan: The language actually ????

25nor: So the word "statewide" is the only difference?

????

passes 5-4, with whitty, naito, burton and courtney voting nay.

44ful: Explains dash 43 amendments. ?????

62bur: How is Metro going to provide information to counties?

65ful: ????

69bur: Did Mr. Weast explain how Metro would pay for that?

71ful: ???

???

76bur: Why is that there is so much opposition to this. Doesn't it
develop recycling?

78ful: ????

83bur: So why would you want to offer to Metro to help conties do
something they're already doing?

86ful: ???

89nor: ???

92key: Yes. Collectors do provide info. to customers about how to
dispose of or recycle various kinds of materials.

?????

103 dew: Believe that's what wuld happen in the long term. Obviously,
there is a cost to private haulers to provide public info on recycling.

114 rep: Phone calls after 5 and on weekends come to legislators
anyway, so we would be answering the phones.

123 dan: This was not a DEQ proposal, and Metro, which initially
supported it, has since withdrawn its support. This is a useful part of
the bill, but if Metro not here to support, it obviously won't pass.

148 van: Private haulers do a good job in my area with respect to
recycling.

164 cou: Did this section come under siege in the Senate?

166 dan: Received general support. No one strongly objected to this.

173 cou: Did the counties object to this?

176 dan: ????

182 ful: We have objected to the funding part of it. This provision is not an issue, the issue is whether counties can afford it.

193 rep: moves dash 43 amendments.

200 bur: Going to vote for this, but hope don't see Metro spending any time or money asiting counties that have testified against this. Not convinced that Metro council or the director have been fairly involved in Metro decision against this. Will track this carefully and hold Metro accountable.

226 passes 6-3, with whitty, courtney and naito voting no.

244 par: How long have these amendments dash 39 been circulated?

248 vannatta: They were out of LC on friday.

252 dan: ????. Have added technical amendment, and all parties are on board. Did not intend to bring first three lines forward today. That language isn't bad, but it was discussed in detail on Senate side, and don't want to rock the boat.

289 par: Can you specify in the hand-engrossed version which definitions you will refer to.

296 dan: Page 6 "compost", page 8 "yard debris", page 30 "co-compost".

314 nai: On the first three lines you are proposing deleting, who would be opposed to those?

321 dan: Have to use the term "resource recovery" carefully. Throughout SB 66 use the word "recovery" instead of fighting over definition of "resource recovery".

333 nai: ????

338 dan: Recovery does include reuse and recycling. This bill defines recovery.

344 van: ????

354 dan: Not limiting use. The word compost most often shows up in procurement sections where state agencies have to do studies and show findings. This definition applies for broader sections of the bill, and there is another definition that applies when the Department of General Services has to conduct studies.

365 ????

377 dan: ??? That is narrower definition for municipal solid waste compost, and that is appropriate because it does not refer to all solid

waste.

393 van: What are we doing with diseased plants and other agricultural solid waste?

400 dan: This won't override any existing laws.

TAPE 184, SIDE B

05GERRY GRIFFITH, ???? : Agree with most of Danko's comments, but disagree with removal of first three lines. ???

17bur: ???

21par: His proposal is to remove first three lines.

23bur: Moves dash 39, deleting first three lines of the hand-engrossed.

passes 9-0

41dew: Explains dash 41 amendments. ????? Concerns expressed on Senate floor over funding source for this provision. Believe SB 66 B programs can be funded through additional 50 cent tipping fee. (75) Local governments would forgo local grants and those funds would go to DEQ for statewide study. Bottom line is, this amendment would eliminate unnecessary additional 50 cent tipping fee.

80nor: ???

88dew: It would continue to be funded under the existing 50 cents, and pilot program already established would continue through 1993, at which time Legislature could decide future of the program.

96nor: Would this pilot program still be limited to the Meteor area?

98dew: DEQ currently does?????

104 rep: In removing that section, we effectively says there are no cost implications. If subsequent consideration in Ways and Means, there was evidence showing costs, how could this language be restored?

112 dew: ?????

128 bur: Not sure we don't want to micromanage. ?????

133 key: Yes.

?????

140 bur: But they're not eligible for at least 15 cents ???

144 dew: Perhaps just a good plan.

146 ful: Of current 50 cents ??? balance is for ??? Proposing giving grants to DEQ ???? New standards ?????

167 par: Ways and Means will consider FTEs etc.

173 bur: ???

177 ful: The existing pilot program is ongoing.

180 bur: ????

182 ????

???

186 bur: What are you going to eliminate?

192 ful: ???

193 bur: Where does the other 23 cents go?

194 ful: ???

201 dew: Local government grants would be 15 cents. ????

?????

240 bur: ???

244 dan: 50 cents per ton translates to 47 cents per year for household with one garbage can per week. The funding aspects of the bill obviously most controversial. This bill has been worked on extensively including numerous funding proposals. This bill needs money, even after deletions by this committee. This is not a balanced proposal, and that is something Ways and Means will have to reconcile. (280) ????

284 par: My intention that these aspects be done in Ways and Means.

295 aro: The question then is what form does it go to Ways and Means. Support at least additional 50 cent tipping fee (307) ????. Even after deletions and additional 50 cents, there would still be a deficit of \$400,000 annually. Approving this amendment would "decapitate" the bill.

347 rep: If \$400,000 excluding two provisions we've already removed, ????

365 aro: Most programs phased in over biennium, ????

????

370 aro: There was some debate about that. Reconsidering the funding mechanism that will be used puts this whole proposal at risk. Need to focus on tipping fee itself.

393 rep: ????

400 aro: ????

406 par: If Ways and Means decided this needed a 65 cent tipping, we would find a way to approve that on the floor.

TAPE 185, SIDE B

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07whi: I'd vote for the bill even though that amount is blank, but I

won't vote for elimination. If we had \$6 million industry spent to defeat Measure 7, we wouldn't have problems funding this bill.

22whi: Leaving those amounts blank makes sense, because don't know what bill costs anyway.

30TED HUGHES, ???? : Concerned about health of this bill. No idea if tipping fee is adequate. Advocates sending it to Ways and Means with blanks for tipping fee. Plastics industry feels this is model bill in the country.

46par: Mr. Danko, Section ??? Is that 50 and 35, or is that 50 and then a decrease to 35?

52dan: Drop to 35 cents.

58whi: Moves concept amendment to leave amounts in Section 13a blank.

70cou: ????

74par: That would be up to the Committee.

83vannatta: States motion.

86par: corrects motion.

89nor: ????

91whi: ?????

????

115 bur: Assume motion intended to allow discussion ???? Advocates leaving amount blank and leaving fee amount up to Ways and Means.

Carriers 8-1, with norris voting nay.

155 REP. JOHNSON: Explains dash 25 amendments. ????

163 joh: DEQ has had conflicting ???? (172) Not mandating that all water treatment plants take this stuff. Instead, requiring that all those who collect this material find plants that will treat it. Passing this bill would clean up catch 22 at DEQ and keep from pumping this stuff into the ground.

187 cou: There isn't a state law now requiring private carriers to dump loads where they can be properly treated?

194 joh: Correct.

197 GARY JENT, ???? : This amendment intended to insure public health and safety. Douglas County is one case where septic tanks dumped into open pits.

210 dan: ???? There are 12 sites in state that are not ??? Problem in Douglas County is that landfill has been taking septic pumpings for some time. Concern is that evaporative ponds are not lined and that county gets lots of rainfall. The county could prohibit acceptance of pumpings at the landfill, but treatment plants don't take them, so it's a catch 22 for rural homes. This amendment just says pumpings shall go to

treatment plans, but if plants don't accept pumpings, then there is a real problem.

248 par: Should this be part of SB 66? This probably wasn't discussed on Senate side.

252 dan: ???

260 DIANNA GODWIN, OREGON SANITARY SERVICE INSTITUTE: Testifies in support of the measure. Don't want septic pumpings in landfills. Assume by permitting 12 non-treatment facilities, DEQ must think they're safe. Suggests adding language to allow pumpings to go to these 12 sites.

279 par: Needs more work. Adjourns at 3:02.