

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.

Measures Heard SB 66 WRK

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

February 27, 1991 Hearing Room C 8:00 a.m. Tapes 61 -64

MEMBERS PRESENT: Sen. Dick Springer, Chair Sen. Joyce Cohen, Vice-Chair Sen. John Brenneman Sen. Shirley Gold Sen. Bob Kintigh Sen. Tricia Smith Sen. Eugene Timms

STAFF PRESENT: Peter Green, Committee Administrator Kimberly Burt, Committee Assistant

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TAPE 50, SIDE A

003 CHAIR SPRINGER CALLS THE MEETING TO ORDER AT 8:08 a.m.

WORK SESSION

013 CHAIR SPRINGER: We have committee bills to be introduced today.

LC 3702, (EXHIBIT A) requires the Energy Facility Citing Council to adopt, by rule, provisions for evacuation of persons or communities within a 50 mile radius in case of accident or catastrophe in operation of a nuclear power plant or nuclear installation; specifies rule content, requires bi- annual council review.

LC 3230, (EXHIBIT B) bans storage of high level radio active waste at nuclear land sites after license expiration for bids, production or storage of high level radio active materials at nuclear plant sites beyond present capacity of spent-fuel pool.

LC 2926, (EXHIBIT C) new commodity commission, at the request of Anthony Taylor.

LC 3220, (EXHIBIT D) relates to yard debris, prohibiting burning of yard debris from residential yard cleanup in cities with a population of over 50,000.

LC 3708, (EXHIBIT E) relates to solid waste and is from AOI.

030 MOTION: CHAIR SPRINGER moves the introduction of the LC drafts described.

033 VOTE: Being no objection the motion carries.

PUBLIC HEARING ON SB 66 Witnesses: Ric LaTour, Program Supervisor, Department of Education Cameron Birnie, Administrator, Transportation/Distribution, Department of General Services Bill Quinn, Oregon State Highway Division Alex Cross, Vice-president of Engineering & Business Development, Rydel Environmental Technologies Sandy Burt, Administrator, Purchasing Division, Department of General Services John Mathews, Garten Foundation Jeanne Roy, Recycling Advocates Leigh Zimmerman, METRO Gordon Fultz, Association of Oregon Counties David Knolls, Member, Metro Council, Northeast Portland Bob Danko, Solid Waste Manager, Department of Environmental Quality Mike Dewey, Oregon Waste Management systems Diana Godwin, Oregon Sanitary Service Institute Diane Perry, Oregon Metals Industry Council Jean Cameron, Oregon Environmental Council Brian Bow, National Electrical Manufacturers Association

035 PETER GREEN, COMMITTEE ADMINISTRATOR: Summarizes (-1) amendments (EXHIBIT F) to SB 66; staff worked with Metro, the cities and DEQ working to make sure that the cities of Portland and the surrounding counties can work together as far as planning requirements go.

This does remove all the CFC language that was put into another bill to be dealt with separately.

057 MOTION: CHAIR SPRINGER moves adoption of (-1) amendments to SB 66.

062 VOTE: Being no objection the motion carries.

063 GREEN: The (-10), (EXHIBIT G), amendments are from the Department of Education and they modify section 37 & 37(a) of the SB 66.

072 RIC LATOUR, PROGRAM SUPERVISOR, DEPARTMENT OF EDUCATION: We would like to drop section 37 and amend section 38 so that the science framework is the basis for the curriculum development be extended to the science, health and social studies curriculums within the common curriculum goals.

Rather than producing a curriculum at the State Department of Education, we feel that there are several quality resources available; we will propose that the amendment reflect the compilation at the Department of Education that we would then develop and disseminate.

105 MOTION: CHAIR SPRINGER moves adoption of (-10) amendments.

107 VOTE: Being no objection the motion carries.

108 GREEN: The (-12), (EXHIBIT H), amendments are the government procurement amendments.

130 CAMERON BIRNIE, ADMINISTRATOR, TRANSPORTATION-DISTRIBUTION DIVISION, DEPARTMENT OF GENERAL SERVICES: We do have modifications to the (-12) amendments, (EXHIBIT I).

CHAIR SPRINGER: We understand there have been tests or research done on the use of used tires as paving material.

163 BILL QUINN, OREGON STATE HIGHWAY DIVISION: We do experiment with all types of materials; we have used the rubber tires in installations.

It is a matter of economics with the Highway Division; there are federal guidelines for using recycled materials in structural applications.

Recycled rubber adds \$20 per ton to the cost of the asphalt concrete.

We are willing to try this process, we are working with Metro, DEQ, monitoring work being done in cities and counties; we do have failures and we are trying to extend life.

215 SEN. TIMMS: Using tires for fill is the most economical?

QUINN: We used tires for fill in our Coos Bay/Roseburg project to prevent slides; Minnesota had successfully used sliced tires for fill, so we tried it; we used 500,000 sliced tires.

SEN. TIMMS: Are there problems caused from burying the tires?

QUINN: No, we got a rebate from DEQ for using them.

245 SEN. TIMMS: Who is responsible for rail road ties?

QUINN: I think it is a joint venture, but the railroads are probably responsible.

SEN. TIMMS: Doesn't that come from tires?

QUINN: Yes, the buffings off the tires and they also grind tires to make pads, but that is a small quantity.

When you use them for fill you have to build in precautions so that they are above the ground water; you need special drainage.

313 SEN. SMITH: Do you automatically investigate the feasibility of using rubber when planning a project?

QUINN: No, because rubberized asphalt currently isn't economical.

We would in a light weight fill project; if we could prove that it was more economical then we would use it.

343 SEN. TIMMS: Aren't rock costs rising?

QUINN: We try to design so that there is a balance of materials; I don't believe that rock costs have increased significantly.

365 SEN. TIMMS: What costs are we creating in terms of increased costs of highways because of restrictions?

QUINN: This may center around land use and zoning, where we are prohibited from going in and getting good aggregate sources and have to make long hauls.

405 ALEX CROSS, VICE-PRESIDENT OF ENGINEERING & BUSINESS DEVELOPMENT, RYDEL ENVIRONMENTAL TECHNOLOGIES: We started in Portland in 1985; we now have 4 plants that run 24 hours a day, all of which can't produce the product fast enough.

Railroad crossings are usually under the jurisdiction of the rail companies rather than the communities, but we work with both.

TAPE 62, SIDE A

030 CROSS: Ten years ago the rubber/asphalt paving began in this country, in the State of Arizona; it is a sensitive product in the sense that if the mix isn't correct, the end result isn't satisfactory, but we shouldn't be confused, there are thousands of miles of successful rubber/asphalt paving in the country.

045 SEN SMITH: Are there maintenance problems with the crossings?

CROSS: Four different firms manufacture rubberized railroad grade crossings; we install full depth rubber product with no other materials attached and we do offer full replacement if there is a maintenance problem and we are replacing less than 1%.

057 SEN. TIMMS: What is the problem as far as expansion?

CROSS: Matching the availability of material; we are using rubber buffings from the recapping operations as the raw feed stock.

We are looking at using ground hole tires, but today it isn't economically feasible to do that.

082 CROSS: I encourage you to look at the issue of cost with highways; other highway jurisdictions use rubberized asphalt and consider it to be cost effective.

100 BIRNIE: You have before you a single sheet that discusses section 61(3), section 79 and section 80(3); the first two relate to procurement issues and the last one relates to disposal issues.

107 SANDY BURT, ADMINISTRATOR, PURCHASING DIVISION, DEPARTMENT OF GENERAL SERVICES: Section 61(3), see Exhibit I; we came up with the proposed language that states that General Services will review and work with state agencies to develop procurement specifications that encourage the use of recycled products whenever quality of a product is functionally equal.

We had some difficulty with implementation of section 79; we came up a proposal that encourages recycled products and we propose to use that language in our invitations to bids and requests for proposals that basically states that within those documents, vendors shall use recycled products to the maximum extent economically feasible in the performance of contract work set forth in this document.

142 SEN. SMITH: The question I have is with the alternative language to section 79; would you have a problem with language that stated that the department, when preparing bids or RFP's, the documents shall include this language?

BURT: No.

151 BIRNIE: Section 80-3, as written requires the Department of General Services, in consultation with the DEQ, to submit a recycling plan to the legislature and in subsection 3 we added the following language "the plan shall include, for each state agency, specific goals relating to office materials recovered from the waste stream and waste not recovered

on a per capita basis".

196 SEN. KINTIGH: The new language in section 79, where it says "to the maximum extent economically feasible", does that mean that if a vender is bidding and it is cheaper to use recyclable they would, if not, they wouldn't?

BURT: Yes.

GREEN: We will ask Legislative Counsel to insert the language in section 79 in the appropriate location.

CHAIR SPRINGER: We will be adopting that conceptually.

215 MOTION: SEN. SMITH moves the (-12) amendments.

SEN. TIMMS: What does it cost Garten to recycle for General Services and state government?

240 JOHN MATHEWS, GARTEN FOUNDATION: The cost of the janitorial services is internal to the agency generating the materials; we are paying the state \$1000 to \$2000 per month for the paper generated and we are looking at developing plans for paper other than white.

262 CHAIR SPRINGER: Do agencies have a way of measuring cost savings?

BIRNIE: They do have ways; agencies are aware of the costs of disposal to the landfills and can easily compare those costs with the benefits derived through recycling internally.

275 VOTE: Being no objection the motion carries.

282 MOTION: CHAIR SPRINGER moves the additional amendments, in the procurement area, to the (-12) amendments.

285 VOTE: Being no objection the motion carries.

288 GREEN: We have (-8) modifications, (EXHIBIT J); these amendments modify the actual (-8) amendments, (EXHIBIT K).

SEN. SMITH: Describes the changes made to the (-8) amendments.

350 SEN. SMITH: Summarizing amendments to the (-8) amendments, see Exhibit J.

CHAIR SPRINGER: Is backyard composting considered recycling?

455 JEANNE ROY, RECYCLING ADVOCATES: Testifies in opposition to the amendment that would change Metro's recycling goal to a material recovery goal; submits (EXHIBIT T).

ROY: If Metro wants to count their mixed waste compost, it should have a material recovery goal, but it should also have a recycling goal.

TAPE 61, SIDE B

038 ROY: Metro shows that they can almost meet a recycling goal of 40% by 1992 without the mix waste compost and burning; we would like you to leave two goals in the bill, so that you don't get rid of their recycling goal.

050 SEN. SMITH: The consensus of the group, was that by increasing the rate to 45% and putting a provision within that no more than 5% of that rate would come from MSW composter, we were allowing them to count it, but not as recycling; we are still requiring that they meet the 40% recycling.

ROY: I have no objection to that, but they should still have a goal of recycling a certain amount; I think that the state wants to encourage a source separation recycling system and I don't see any reason to not keep that in the bill.

066 LEIGH ZIMMERMAN, METRO: I believe that Metro was agreeable to the one material recovery goal that would allow us to include the composter.

I don't know how we would respond to having two separate goals; our intent is always to have as much curb side recycling and other source separation as possible and our composter is not intended to replace that.

096 CROSS: The composter is being built with Rydel funds, there will be no recourse to taxpayers if this facility doesn't do what we claim it can do.

There is no contradiction between composting and recycling; some information you have been given relates to some poorly operated facilities in this country.

122 CROSS: Quality is an issue; our compost has a quality standard that precludes any glass, plastic, metal or recyclable papers from being present in the compost.

We are receiving proposals from companies as to how we should structure the back end of the plant making sure the product is usable.

We would support any level of recycling goals imposed on Metro that are meant to be curb side recycling.

210 SEN. COHEN: If we prod Metro to set a curb side recycling goal that would be to the better of your operation?

CROSS: Yes and I believe that they are agreeable to that.

CHAIR SPRINGER: How do you handle yard debris?

287 CROSS: Our contract with Metro specifically precludes yard debris; we are indicating to other communities that we will accept yard debris.

CHAIR SPRINGER: What is Metro doing with yard debris?

ZIMMERMAN: We have been working with the cities and counties in the area and have adopted the Regional Yard Debris Plan and within the next couple of years the city will implement curb side program for collection, working with the processing facilities that exist.

We have taken on an aggressive demonstration project on home composting, setting up sites at community colleges to educate people.

340 SEN. TIMMS: What does it take for a rural area to get involved?

CROSS: The particular technology we are utilizing has been used for 50 years; it does require 250 to 300 tons of mixed refuse per day to function properly.

A regional facility would be able to accept waste from many smaller communities and the cumulative affect would be enough to make the operation cost effective.

SEN. BRENNEMAN: Is Metro encouraging back yard composting by encouraging the purchase of a composting bin or making those available?

ZIMMERMAN: Yes, though our 1% for recycling program we funded a simplified compost bin and we will have demonstrations on those throughout the region.

We have done a great deal to educate the public on backyard composting.

440 SEN. KINTIGH: What do you take out in separation at the compost plant?

CROSS: The paper that arrives will be recycled if it is unsoiled; it has a higher value as recycled paper if it is clean.

TAPE 62, SIDE B

SEN. SMITH: Your pie chart says that in 1992 there will be 2% energy recovery, is that both the burner and refuse derived fuel?

ROY: The 2% included what goes to the Marion County burner, the oil that is burned and tires that are burned; right now refuse derived fuel isn't in there.

CHAIR SPRINGER: We did receive a pie chart from Metro, (EXHIBIT L).

057 SEN. SMITH: Refuse derived fuel doesn't fit the definition of material recovery in the bill; it is energy recovery in my interpretation.

ROY: We should have clarification of what comes under material recovery.

106 CHAIR SPRINGER: What is the refuse derived fuel operation?

CROSS: There is a franchise for a firm in Portland called Waste Tech that will recycle all paper fibers out and can achieve almost a 50% recovery rate; residue material leaving the plant was determined to be 50% combustible and that was turned into refuse derived full.

CHAIR SPRINGER: What do you do with pallets?

We are getting proposals from the recycling community as to what to do with pallets.

160 GORDON FULTZ, ASSOCIATION OF OREGON COUNTIES: We are content with this language, this was a compromise.

SEN. COHEN: Does the same language apply to all counties?

FULTZ: My understanding is only the Metro area.

We changed the 45% goal to a Metro goal.

SEN. COHEN: Why not just have a 40% recycling rate in the area Metro area?

FULTZ: Material recovery and recycling are the key; our proposal deals with resource recovery and material recovery and it has a wide range, by definition, that is much broader than what recycling includes.

ROY: I think that the issue for your committee is if you want to encourage source separation recycling systems and if you do I think you need to keep the recycling rates in there.

SEN. COHEN: Other areas have made commitments to curb side recycling; why doesn't Metro want to?

275 DAVID KNOLLS, MEMBER, METRO COUNCIL, NORTHEAST PORTLAND: You are struggling with the question of definitions; DEQ should take responsibility for putting together a group to define the definitions.

What is the hierarchy means; disposal alone, or disposal and natural resource use; to some extent, Metro and the local governments have looked at this as a question of how to dispose of solid waste, not as a responsibility to conserving natural resources.

SEN. COHEN: Perhaps we need to clarify this.

KNOLLS: On the composting issue, if what is being produced out of this process is a marketable compost product, then it meets the definition of recycling.

370 SEN. COHEN: If we are using recovered materials, the rate should be moved up to 60% instead of 40%.

KNOLLS: That is a fair point, but it needs to be consistent.

400 FULTZ: Material recovery is the definition we should use; the committee has adopted rates for each waste shed, but they were our rates that we defined as material recovery rates.

SEN. SMITH: It was the understanding of everyone in the work group that we were talking about recycling and not material recovery and that was why it was such a "big deal" when we changed it for Metro.

I think it is a real problem when local governments don't understand that they have a significant role in resource conservation and that the point of recycling is not only to reduce garbage going into land fills, but to conserve natural resources.

488 SEN. TIMMS: Are there problems with the rural areas?

TAPE 63, SIDE A

035 FULTZ: We do have a difference in terms of what is counted and that is where I have difficulty with material resource recovery vs. recycling.

The goal of 7% or 10% is fine if there is the market for the materials.

140 GREEN: There were only two counties with fewer than four principal



recyclable materials and it was understood that Wheeler County, being one of the two, couldn't choose as one of their three choices, multi-family recycling as it would have no impact with virtually no multi-family dwellings and that is why we have the definition.

BOB DANKO, SOLID WASTE MANAGER, DEPARTMENT OF ENVIRONMENTAL QUALITY, (DEQ): Neither glass and aluminum are principal recyclable materials in Grant, Harney, Lake, Morrow, Sherman, Walla, Gilman or Wheeler Counties.

This wouldn't preclude them from counting those but they wouldn't be required to count those.

156 CHAIR SPRINGER: We have the definitions in the bill, talking to energy recovery, material recovery, recycling; we have talked about the additional amendments that deal with Marion County and the Metro Service District.

CHAIR SPRINGER: We have amendments before us, see Exhibit J.

171 MOTION: SEN. SMITH moves that the additional amendments to goals and standards be incorporated into the (-8) amendments.

173 VOTE: Being no objection the motion carries.

GREEN: (-13) amendments, (EXHIBIT M) replace landfill provisions that were inadvertently dropped from the bill.

There was concern as to whether or not car parts would be included and that was not the intent, these are abandoned whole vehicles, home or industrial appliances, used oil or tires.

200 MIKE DEWEY, OREGON WASTE MANAGEMENT SYSTEMS: Under the amendment the landfill operator would be responsible and our concern is that at Metro the sorting is done before the garbage arrives; small appliances may be in the waste stream and we wouldn't have any way of knowing.

240 DIANA GODWIN, OREGON SANITARY SERVICE INSTITUTE: Our concern is that the enforcement mechanism is against the operator who has the least control.

SEN. SMITH: Your haulers deliver where tires aren't accepted, how do you do that?

GODWIN: There is an exception so we can have ten tires; our haulers know they are there when they pick them up and they are prohibited from hauling more than ten at a time.

SEN. TIMMS: Landfills don't have the supervision to go through each load inspecting.

CHAIR SPRINGER: How do we police what is prohibited currently?

GODWIN: We have identified that areas for source separation at landfills for the medical waste that is allowed, but you are right, in the household areas it is difficult for us to police.

CHAIR SPRINGER: I will suggest that we insert the word "Knowingly".

318 DEWEY: The point is that the landfill operator has no control over this.

CHAIR SPRINGER: They have control over hazardous waste and infectious waste now.

We may need to come up with a definition of reasonableness; we know that white Goods are washers, dryers, refrigerators and those aren't allowed.

348 CHAIR SPRINGER: We will insert "knowingly" as part of the motion.

White goods are generally bigger than a bread box.

SEN. TIMMS: Could DEQ list what isn't allowed; I do see appliances separated in my area and I have a problem with how this will work as far as practicality.

450 DANKO: This is a national issue; in the new sub title D solid waste restrictions coming from the federal government are going to address small landfills where there is no attendant present.

TAPE 64, SIDE A

050 MOTION: CHAIR SPRINGER moves adoption of the (-13) amendments with the addition of the word "knowingly".

058 VOTE: In a roll call vote the motion carries. Members voting no: SENATORS BRENNEMAN, KINTIGH, TIMMS

GREEN: The (-11) (EXHIBIT N), tries to put some burden on the landlords to provide the opportunities to recycle so that burden doesn't fall entirely on the cities, counties and garbage haulers and Diana Godwin has some modifications to that language, (EXHIBIT O).

GODWIN: In the goals and standards work group, a service standard option would be multi-family recycling services, but that has been a problem over the years.

We have amended the existing landlord tenant act saying that in a city that has decided to implement multi-family recycling services as part of their service standards the landlord shall provide these things to tenants: a separate location for containers or depots, regular collection service of the source separated materials and that they provide notice to their tenants at least once a year that the opportunity exists and how to go about availing themselves to the opportunity.

120 SEN. SMITH: I have had problems since we have introduced multi-family recycling in mobile home parks within the city where owners of the homes have individual garbage service and haulers haven't provided containers to those people until the owner or manager of the park has stated in writing that they wanted containers for those people.

When people have individual service, they should be treated as individual customers and I would like language in this section that differentiates them from the parks that have a single disposal site for all tenants.

GODWIN: If the owner of the overall park has problems with multiple bins being out, it has been a problem; we want this language to require the landlord to cooperate in making sure that all tenants in the mobile home park can avail themselves of the opportunity to recycle.

160 DANKO: I believe our work group talked about four principal recyclable materials for multi-family and the (-8) say four, but this says three.

CHAIR SPRINGER: Four principal recyclable materials and within the urban growth boundary would be incorporated in the (-11) amendments.

171 MOTION: CHAIR SPRINGER moves the (-11) amendments.

175 VOTE: Being no objection the motion carries.

GREEN: The (-5) amendments, (EXHIBIT P), relate to recycling efforts by state agencies.

180 JOHN MATHEWS, GARTEN FOUNDATION: In section 80 we concur with the Department of General Services for their insertion in subsection 3.

In section 83, on line 19, we are still recommending the phrase "or cost reductions realized" be inserted and we would delete "sale" and insert "transferred" before "recyclable materials in the state legislative offices...".

In order to achieve the goal of maximum recycling of all items economically feasible to do so, it may be necessary to take into account the concept of recycling at a cost less than the alternative waste disposal cost.

GREEN: The LC amendments are found on page 1, lines 8 - 22.

245 GREEN: These amendments are only affecting section 80 and section 83; section 80 has been taken care of elsewhere, so we are dealing with section 83.

CHAIR SPRINGER: (-5) now speaks only to section 83.

262 MOTION: CHAIR SPRINGER moves the (-5) amendments as amended.

264 VOTE: Being no objection the motion carries.

GREEN: (-4) amendments, (EXHIBIT Q).

275 DIANE PERRY, OREGON METALS INDUSTRY COUNCIL: We have met with DEQ and the Department of Justice and their opinion is that we don't need to amend the definition of solid waste, but did need to deal with what was counted in the recycling and material recovery rates.

I have a memo, (EXHIBIT U), that says that in the current statute, ORS 459.192, there is an exemption for materials purchased or exchanged for fair market value from the generator and it was their advise that that would cover metals so we wouldn't be included in the definition of solid waste, so now we are offering an amendment that takes us out of the count.

FULTZ: The difference of opinion that we have between material recovery and recycling is what is included and how it is counted; our end is to try to keep things out of the land fill and in many times that is recycling.

355 MOTION: SEN. COHEN moves adoption of the (-4) amendments.

CHAIR SPRINGER: We are talking about the February 27th amendment proposed on behalf of the Oregon Metals Council, Exhibit U.

SEN. TIMMS: Is the total material aspect for the rural areas?

370 FULTZ: We look at the goals set as materials deviated out of the landfill; we haven't come to a conclusion on how this is counted and calculated.

The issue here is at what point is it in the waste stream and whether or not cities or counties efforts to keep it from arriving in the waste stream should be counted.

405 VOTE: Being on objection the motion carries.

GREEN: The (-6) amendments have to do with the sections at the end of the bill that requires plastic coating of containers and we have a hand engrossed version, (EXHIBIT R).

430 MOTION: SEN. COHEN moves adoption of the (-6) amendments.

432 VOTE: Being no objection the motion carries.

GREEN: The (-14) amendments, (EXHIBIT S), make a variety of small changes.

455 JEAN CAMERON, OREGON ENVIRONMENTAL COUNCIL: The (-14) amendments lines 1 - 7 deal with the changes adding words about reduction and reuse in addition to recycling, to promote those parts of the hierarchy as well.

On page 1 of SB 66, line 12, it calls for the development of integrated solid waste plans that encourage and support and I would add "waste reduction, reuse and" before the word "recycling".

Lines 8 - 17 of the amendments adjust numbers as needed based on the previous changes and again on line 18 we are adding words about reduction.

480 CAMERON: Lines 19 and 20 refer to page 11 deleting a requirement for DEQ to reimburse cities for planning and I suggested that was a bad precedent to set and I think that local governments have abilities to set fees at whatever rates cover their own planning costs.

TAPE 63, SIDE B

036 CAMERON: Page 12 of SB 66, lines 21 & 22, I have suggested adding language to sub 1 adding "and why those materials could not be reduced, reused or recycled for that composting".

On line 23 & 24 I suggest the definition be inserted.

050 CAMERON: On page 10 of the amendments, lines 7 - 9 deal with the problem of glossy inserts in news papers, requiring that such inserts be recyclable.

On page 10 - 16 of the amendments we are dealing with parts of batteries, suggesting that if we want to recycle batteries and grocery bags, we suggest adding deposits.

Lines 17 - 27 of the amendments deal with re-adding the land fill bans and you have already dealt with that so it can be excluded from these amendments; lines 28 & 29 were also covered in previous amendments.

070 CAMERON: Line 30 on page 2 of the amendments changes the word "shall" to "may" creating an option rather than a requirement that a mobile hazardous waste facility be used by the state.

On page 3 of the amendments, lines 1 & 2 have been covered by amendments previously adopted.

Lines 3 & 4 are suggesting that the Economic Development Department is the appropriate agency to work with the market development commission.

Lines 5 - 9 reflect the suggestion that it isn't appropriate for DEQ to be required to reimburse agencies for the demonstration projects.

Lines 10 & 11; if you are going to require labeling of plastic containers, it shouldn't only be those manufactured in Oregon, but also those commercially filled or re-filled in Oregon.

CHAIR SPRINGER: We won't have time to go through the remaining issues that haven't been taken care of elsewhere this morning.

105 BRIAN BOW, NATIONAL ELECTRICAL MANUFACTURES ASSOCIATION: There are a number of concerns, some minor and some major, that the committee will have to consider.

All of the concerns are on the table at this time and when the committee has the time we can address the (-2) amendments.

CHAIR SPRINGER: Who is participating in that work group?

BOW: DEQ, the Retail Council and other retailers, OSPIRG, Mr. Craven and AEA.

CHAIR SPRINGER: Please put the changes in a form as concise as possible and distribute to the committee members.

121 CHAIR SPRINGER: Staff will take the amendments adopted and incorporate those in an informally engrossed copy so everyone who wants a copy may have one; the remaining amendments or issues will be taken up at our next work group.

133 CHAIR SPRINGER: We are adjourned. (11:15 a.m.)

Submitted by:      Reviewed by:

Kimberly Burt      Peter Green Assistant      Administrator

EXHIBIT SUMMARY:

A - LC 3702 SUBMITTED BY STAFF, pp 2 B - LC 3230 SUBMITTED BY STAFF, pp 1 C - LC 2926 SUBMITTED BY STAFF, pp 2 D - LC 3220 SUBMITTED BY STAFF, pp 2 E - LC 3708 SUBMITTED BY STAFF, pp 22 F - SB 66 (-1) AMENDMENTS

SUBMITTED BY STAFF, pp G - SB 66 (-10) AMENDMENTS SUBMITTED BY STAFF, pp  
2 H - SB 66 (-12) AMENDMENTS SUBMITTED BY STAFF, pp 6 I - SB 66 (-12)  
AMENDMENTS SUBMITTED BY BERNIE, pp 1 J - SB 66 (-8) MODIFICATIONS  
SUBMITTED BY STAFF, pp 1 K - SB 66 (-8) AMENDMENTS SUBMITTED BY STAFF,  
pp 6 L - PIE CHART SUBMITTED BY METRO, pp ? M - SB 66 (-13) AMENDMENTS  
SUBMITTED BY STAFF, pp ? N - SB 66 (-11) AMENDMENTS SUBMITTED BY STAFF,  
pp 2 O - SB 66 (-11) MODIFICATIONS SUBMITTED BY GODWIN, pp 2 P - SB 66  
(-5) AMENDMENTS SUBMITTED BY STAFF, pp 1 Q - SB 66 (-4) AMENDMENTS  
SUBMITTED BY STAFF, pp 1 R - SB 66 (-6) HAND ENGROSSED VERSION SUBMITTED  
BY STAFF, pp 3 S - SB 66 (-14) AMENDMENTS SUBMITTED BY STAFF, pp 3 T -  
WRITTEN TESTIMONY SUBMITTED BY ROY, pp 1 U - MEMO SUBMITTED BY PERRY, pp  
1