

Senate Committee on Agriculture and Natural Resources April 10, 1991 -
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statements made during this session. Only text enclosed in quotation
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report a speaker's exact words. For complete contents of the
proceedings, please refer to the tapes.

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

April 10, 1991Hearing Room C 8:00 a.m. Tape 135 - 138

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

MEMBERS EXCUSED:

STAFF PRESENT: Peter Green, Committee Administrator Chris Beck,
Research Associate Kimberly Burt, Committee Assistant

MEASURES CONSIDERED:

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statements made during this session. Only text enclosed in quotation
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proceedings, please refer to the tapes.

TAPE 135 SIDE A

003 CHAIR SPRINGER: Calls the meeting to order. (8:00 a.m.)

PUBLIC HEARING ON SB 807 Witnesses:Senator Jeanette Hamby, Senate
District 5 Mike Grainy, Department of Energy

Staff submits SMS, (-1) & (-2) amendments.

006 JEANETTE HAMBY, SENATE DISTRICT 5: Testifies in support of SB 807.

SEN. HAMBY: I have submitted handouts on savings, See Exhibit B.

045 SEN. COHEN:

SEN. HAMBY: They are saving and hopefully will look for better ways of
doing work.

The last attachment is a summary of California's program.

060 MIKE GRAINY, DEPARTMENT OF ENERGY: This adds an incentive for state agencies to conserve energy.

This allows agencies to share profits and make additional investments..... for the state and the changes in the (-2) amendments are the administrative details.

the options for financing are our existing ... program, other agencies...but they don't have enough incentive.

085 GRAINY: We think that this will work

SEN. TIMMS:

117 SEN. KINTIGH:

140 SEN. HAMBY: The (-1) are picked up in the (-2), see Exhibit A.

CHAIR SPRINGER: Will this have adverse effect on...

GRAINY: No.

MOTIN: SEN. TIMMS moves adoption of the (-2) amendments to SB 807.

157 VOTE:

MOTION: SEN. COHEN moves SB 807

WORK SESISON ON SB 242 W

172 PETER GREEN: submits sms & hand engrossed copy including (-3) and the (-4) amendments, (EXHIBIT C).

190 ANDY SCHNELL, BRUCE ..: We did note one .. missed, page six, line 16 & 17.

LISTEN, GOING OVER CHANGES

225 SCHNELL: This enables the department to ...

We did add additional direction to the; page ... section section lines 1 - 6 direcotring DEQ to develop a maximum fee....

245 SEN. BRENNEMAN: What do you mean by

SCHNELL: the undue burden of feeling that they have a low risk...

SEN. BRENNEMAN:

SCHNELL: We'd look for something comparable, looking at a cost for plan review, per vessel fee and if it was oil, a tranfer fee.

275 CHAIR SPRINGER: Is this comparable to Washington State?

SCHNELL: Yes.

The last section was added in after looking at a mechanism of a transfer fee for underground storage tanks; there is no fee assessed at this time.

305 SEN. BRENNEMAN: aren't all ships involved in commerce in budget sound?

BRUCE:

343 MOTION: SEN. COHEN moves adoption of

CHAIR SPRINGER: The (-4) with further ..

VOTE: No objection.

390 MOTION: SEN. COHEN moves that SB 242 as amended be sent to

410 GREEN: We did receive a letter, (exhibit ?).

445 VOTE:

PUBLIC HEARING ON SB 870 Witnesses: Senator Tricia Smith, Senate District 17 Kasey Zimmer-Stucky, Salem, Oregon

Staff submits SMS and proposed amendment from DEQ, (EXHIBIT.)

465 SENATOR TRICIA SMITH, SENATE DISTRICT 17: Submits written testimony in support of SB 870, (EXHIBIT .)

TAPE 136, SIDE A

096 SEN. SMITH: I have covered

115 sen. Kintigh: Why didn't the City of Salem do this?

SEN. SMITH: It is difficult

140 SEN. BRENNEMAN: When the coastal populations reach that level; limiting that burning bothers me.

SEN. SMITH: This is limited to cities, not counties; our intent was to draft a bill

SEN. TIMMS: Most of my cities don't allow burning at certain times of the year//

180 TOM O'CONNOR, LEAGUE OF OREGON CITIES: As far as I know nothing prevents a city council from adopting a back yard burning ban; there may be restrictions in the metro area on what

We haven't taken a position on the bill.

205 KASEY ZIMMER-STUCKY: Submits written testimony in support of SB 870, (EXHIBIT .)

235 JIM BONE, FIRE CHIEF, CITY OF SALEM: Submits written testimony in support of SB 870 , (EXHIBIT .)

280 chair springer: What kinds of unauthorized burns?

BONE: Normally it is unattended back year burns.

295 OLIVIA CLARK, CITY OF SALEM: This isn't our bill, this hasn't been brought to uor attention.

BONE: Continues with written testimony.

330 SEN. KINTIGH: Have you presented this problem to the ciyt concil?

BONE: No.

340 JOHN LOWEY, ASSISTANT, DIRECTORT OF ENVIRONMENTAL QWUALITY: Submits amendment, (EXHIBIT.)

Gives background on problem.

365 SB 870 would include cities over 50,000 and many of those

The Portland plan included a fee for hardship.....SB 870 wouldn't allow for this exempetion....

390 SEN. BRENNEMAN: What kind of hardship?

LOWEY: The have averaged about 7???? per year as compared to an estimated 85,000.....

We look at economic hardship; some properties are configured so that it would be difficult to remove debry and in additional those with severe economic hardship get the fee waived.

440 SEN. SMITH: Do you know about the composter in Tualitin that pays people to bring yard debry?

LOWEY: No.

SEN. SMITH: I would assume that burns are reuquired to be in piles?

LOWEY:

TAPE 135, SIDE B

050 sen. kintigh:

LOWEY: the hardship permits are granted in spring or fall; there is a limtation on the time of year.

080 SEN. SMITH: Can we move this bill today adopting DEQ's conceptual amendments?

MOTION: SEN. SMITH moves that SB

150 VOTE:

WORK SESION ON SB 330 Witnesses:

160 PETER GREEN:

DEQ PEOPLE: lydia and neil

180 CHAIR SPRINGER: We will delete sections 2 & 3.

LYDIA: listen

215 cohen:

lydia: We are talking with forestry, Oregonians for Food and Shelter.....

245 SEN. GOLD:

275 CHAIR SPRINGER: The policy question is

LYDIA: We haven't specified how that would occur, but I do have some examples.

315 SEN. SMITH:

lydia: The discussions we've had dealt with the fact that they ahve
; ; ; ; ; ; ; they are suggesting that this would provide flexibility.

360 LYDIA: The idea is that; where that work is done isn't; deq
would collect the fee and then pass it on to the to have specific
wrk done/

385 SEN. TIMMS: How are you going to assess.....

LYDIA: Certain streams have been specified currenltly.

NEIL: Submits list of streams????? (EXHIBIT)

440 sen. timms:

NEIL: It isn't restricted to ...

TAPE 136, SIDE B

045 LYDIA: This fee would allow us to...

070 BRAD HIGBY, ASSOCIATION OF OREGON SEWAGE AGENCIES: I think that
there was a common understanding of how we could all get the same data.

090 HIGBY: Our concern is

105 SEN. COHEN: I would make the criteria so that we can hve some
perimeters to meet water standards.

HIGBY: I agree that there should be a partnership basis, but no
mandate.

145 SEN. SMITH: I don't see a problem in the bill.

HIBGY:

217 JIM WHITTY, ASSOCIATED OREGON INDUSTRIES: Testifies in opposition
to SB 330

We think this could be;

255 SEN. COHEN:

CHAIR SPRINGER:

335 WHITTY: The magnatude of the problem makes it even more important to be careful about setting fees;

This bill was put together quickly and it isn't clear.

SEN. COHEN: Where does the bill say that ...will pay?

WHITTY: Studies have to be done.

390 SEN. SMITH:

440 SEN. COHEN:

LYDIA: Yes; in the budget process the department requested that the general fund support the .. program and this particular set of fees would have.... and would also provide equity.....

060 MOTION: SEN. SMITH mvoes the adoption of the DEQ amendments, concepually.

VOTE: NO

motion

vote:

10:15

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SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

April 10, 1991Hearing Room B 5:00 PMTape 138 - 139

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

MEMBERS EXCUSED:Sen. Timms

STAFF PRESENT: Peter Green, Committee Administrator Chris Beck,
Research Associate Kus Soumie, Committee Assistant

MEASURES CONSIDERED: SJM 8 SB 869 SB 873

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TAPE 138 SIDE A

003 CHAIR SPRINGER CALLS THE MEETING TO ORDER AT 8:30 AM

PUBLIC HEARING ON SJM8

020 MIKE GRAINEY Oregon Department of Energy, gives testimony in support
of SJM8 and presents overview of EXHIBIT A (verbatim testimony).

054 CHAIR SPRINGER: Is this language in any need of further
modifications or amendments to reflect any events which have occurred or
any information that has come to our attention since the original draft?

156 GRAINEY: No.

058 CHAIR SPRINGER: When we get a quorum we will take action on it this
evening.

PUBLIC HEARING ON SB 869 and SB 873

070 DAVID HUNT, Executive Director of Physicians for Social
Responsibility, Salem Chapter: gives testimony in support of SB 869 and
presents EXHIBIT B (verbatim testimony). 120 CHAIR SPRINGER: Do you
have any copies of the New York Times article?

122 HUNT: I can give it to staff to make some copies.

127 MARK SIGEL: gives testimony in support of SB 869. I have worked on many petitions relating to the Trojan Nuclear Power Plant. In that time I spoke to thousands of Oregonians and heard their views on the issue. From that experience I support passage of SB 869 and expand the emergency evacuation zone around Trojan to 50 miles. Last year we learned that Trojan's emergency cooling system had been clogged with debris for most of it's existence and may not have functioned if the plant had begun to melt down, so we know that there is potential for a major catastrophic accident. The people that live within 10 to 15 miles of Trojan have right to know of such threats, the bill would provide that. State Government has the responsibility to require planning in the event of such an accident.

155 NICK ARNIS: gives testimony on SB 869 and SB 873 and presents EXHIBIT C (verbatim testimony).

199 MIKE GRAINEY, Department of Energy: gives testimony on and suggested amendments to SB 869 and presents overview of EXHIBIT D.

292 SEN. SMITH: Looking at the printed bill and your amendments what is it that you don't want in the printed bill?

300 GRAINEY: In particular the annual notice and subsection A and in discussions with Mr. Marbet he has offered to throw out subsection A. We do see some significant differences in the bill as it is before you, the requirements imposed upon us.

330 SEN. SMITH: What kinds of public notifications would you feel comfortable with?

331 STEVE STEWART-SMITH, Department of Energy, gives testimony on SB 869. Within 10 miles a mailing goes out to every individual (8 thousand people) once a year. It is updated and it contains information on which radio stations to tune to for emergency information. That kind of information would be extremely expensive for people that live within 50 miles of the plant (approximately 3/4 of a million people). We don't think that that kind of precision and detail would be necessary out to fifty miles.

355 SEN. SMITH: How would you notify people within 50 miles of the plant?

336 STEWART: We could use the print in the electronic media, public meetings, and direct mailing. We believe that providing detailed notification within 10 miles is the level of notification necessary in order for us to carry out our responsibilities under the plan.

374 SEN. COHEN: I want assurances that there will be a plan in place that I can look. A plan that says this is what is going to happen when there is a problem.

TAPE 139 SIDE A

005 CHAIR SPRINGER: What happens if people get in their cars and hit the streets at the same time? Who answers those questions as well as those of Sen. Cohen?

011 STEWART-SMITH: We can show you our contingency plan for evacuation for out to twenty miles it is not the same detail as within 10 miles. It does rely on radio, it does rely on local emergency personnel with speakers on top of their cars if necessary. We can get you a copy of that plan.

019 SEN. COHEN: Is that adopted by the sighting council or is that just an internal document.

020 STEWART-SMITH: Currently the requirement is for the plan to meet the general standards of the sighting council and is approved by the department.

042 GRAINEY: We suggest in our amendments that the sighting council is more specific as to what goes into that plan.

026 SEN. KINTIGH: The 50 mile radius covers part of Washington, can you tell me how much of Washington?

048 STEWART-SMITH: From Trojan North would be within perhaps 10 to 15 miles South of Olympia. In Oregon it goes all the way to the coast just missing Astoria. It goes as far South and South East as Oregon City.

044 CHAIR SPRINGER: Tell me again what kind of agreement that you have with Washington State?

063 STEWART-SMITH: The agreement is in the form of the plan it's self. The plan is a document that has different segments to it: Washington state; Oregon state; the company; Clatsop County; Columbia County. The plan is arrived at by agreement of all of the parties that have to implement it.

054 GRAINEY: When we do our emergency drills and exercises the state of Washington and both counties involved participate actively.

058 SEN. KINTIGH: How often are these drills?

059 STEWART-SMITH: We have annual full size exercises every other year those exercises are graded in detail by the oversight federal agencies, the Emergency Management Agency and the Nuclear Regulatory Commission for on sight actions. On the alternate year we do an exercise on an equal scope but it is not graded by the federal agency. In addition to that we have different levels of drills or exercises for individual pieces of the plan. On a monthly basis we have communication drills to make sure our ability to reach all of the important players can be carried out.

099 REP. BEVERLY STEIN, DISTRICT 14 PORTLAND: gives testimony on SB 869 and SB 873 submits EXHIBIT E (verbatim testimony).

121 KELLIE PETERSON, Don't Waste Oregon:, gives testimony on SB 869 and SB 873 EXHIBIT F (verbatim testimony).

226 LLOYD MARBET, Don't Waste Oregon: gives overview of testimony and proposed amendments to SB 873 and SB 869 and presents EXHIBITS G and H (verbatim testimony).

315 NANCY NEWELL, , gives testimony on SB 869 and asks for a comprehensive survey of the problems that can be caused by levels of

radioactivity. speaks about earthquake related problems at Trojan Nuclear Plant. gives testimony on SB 873 and asks for the defeat of the bill.

TAPE 138 SIDE B

001 BURGER, gives testimony on SB 869 is in favor of SB 873. We should not assume that a major accident would only affect a ten mile area and we should expand the emergency evacuation area to a 50 mile radius. Data revealed in 1973 indicated that AEC estimates of a worse case nuclear accident indicate that such an accident could kill 45 thousand people, injure 100 thousand people and cause 17 billion dollars or more in property damage. There have been hundreds of potential accidents averted at nuclear power plants. If you take the years between 1952 and 1976 major accidents occurred in 1952, 1955, 1957, 1958, 1961, 1966, 1971, 1974, twice in 1975 and 1976.

045 NANCY CHRISTIE, Board of Directors of Physicians for Social Responsibility, Portland Chapter: gives testimony on SB 869 and presents EXHIBIT I (verbatim testimony). Supports SB 869.

084 KIMBERLY WEBSTER, Citizens' Utility Board of Oregon: gives testimony on SB 869 and presents overview of EXHIBIT J and K (verbatim testimony). Supports both SB 869 and SB 873 .

112 GREG KAUFORY, gives testimony on SB 869 and SB 873 and presents overview of EXHIBIT L. We have the most difficult job of emergency planning of any place on the planet. Hands out meeting minutes from the Oregon Seismic Safety Policy Advisory Commission. The greatest likelihood for a nuclear disaster at Trojan is in the event of a great earthquake. It is only fair that those that have made money off Trojan, those who put us at risk everyday pay for it. Let them tell the people what they have to do. Let's give them some advice that they can learn and know before it happens.

225 SUZANNE COLLINS, Soloflex Inc.: gives testimony in support of SB 869 and 873 presents EXHIBIT M.

255 GARY BAUER, PGE: gives testimony on SB 869 and presents EXHIBIT O (verbatim testimony). Trojan does not sit on a fault. Trojan has been evaluated for its ability to withstand earthquakes. Each time the evaluations come back they can withstand the earthquake that it being postulated.

430 SEN. SMITH: Trojan can withstand a 9.5 earthquake?

432 BAUER: Yes. We have gone through a number of detailed studies.

TAPE 139 SIDE B

002 TOM WALT, General Manager of Technical Functions at Trojan: The evaluation that was done was the subduction zone earthquake which is located off the coast of the state of Oregon. We are capable of having a 9.5 earthquake at the interface of the subduction zone.

008 SEN. SMITH: fifty miles from Trojan.

009 WALT: That is correct.

WORK SESSION ON SJM8

MOTION: Sen. Smith Moves SJM8 to the floor with a Do Pass recommendation.

028 Clerk calls the roll.

VOTE: Adopted. Ayes, 6 -Nays, 0, Brenneman, Cohen, Gold, Kintigh, Smith, Springer. Sen. Timms excused.

037 UNIDENTIFIED PERSON: gives testimony on SB 873, presents EXHIBIT N. The Chief Oregon State Geologists for earthquake matters is Ean Madden, he reviews every thing on earthquakes that is produced by Beckett and PGE and the Department of Energy. I asked him if he thought Trojan was safe from earthquakes and he said he hadn't seen anything to convince him that it was. Overviews exhibit M.

054 SANDI FOSTER, gives testimony on SB 869 and 873, is in favor of both bills.

099 MICHAEL HERSHB ERGER: gives testimony on SB 869 and SB 873. My main concern is that Trojan is becoming a Portland/Metro issue and not a Global issue which it should be. We are being bombarded by pollutants and I think that it is our responsibility to limit these as much as possible. I urge you to search for new energy sources that won't have hazardous impacts on the Planet Earth and it's inhabitants. I urge you to pass SB 869 and SB 873 .

125 ED HEMMINGSON: gives testimony on SB 873 and SB 869, I am in favor of passing SB 869 and SB 873 with the amendments suggested by Lloyd Marbet.

139 MARBET: continues testimony on SB 873 and SB 869, EXHIBIT G and H.

185 CHAIR SPRINGER: We have asked the sponsors to contact the members of the committee as well as members of the body and I will be visiting with them personally to learn if it is going to be appropriate to schedule a work session on the two bills.

CHAIR SPRINGER ADJOURNS THE MEETING AT 7:40 p.m.

EXHIBIT LOG:

A - Testimony on SJM8 - Mike Graine, Oregon Dept. of Energy - 3 pages
B - Testimony on SB 869- David Hunt, Executive Director of Physicians for Social Responsibility, Salem Chapter - 3 pages
C - Testimony on SB 869, SB 873 - Nick Arnis - 1 pages
D - Testimony on SB 869 - Mike Graine, Dept. of Energy - 7 pages
E - Testimony on SB 869, SB 873 - Rep. Beverly Stein - 2 pages
F - Testimony on SB 869 - Kellie Peterson, Don't Waste Oregon - 4 pages
G - Testimony on SB 869 - Lloyd Marbet, Don't Waste Oregon - 7 pages
H - Testimony on SB 873 - Lloyd Marbet, Don't Waste Oregon - 7 pages
I - Testimony on SB 869 - Nancy Christie, Board of Directors
Physicians for Social Responsibility - 1 pages
J- Testimony on SB 869 - Kimberly Webster, Citizen's Utility Board of Oregon - 3 pages
K - Testimony on SB 873 - Kimberly Webster, Citizen's Utility Board of Oregon - 1 pages
L - Testimony on SB 869, SB 873 - Greg Kauffory - 4 pages
M - Testimony on SB 869, SB 873 - Suzanne Collins, Soloflex Inc. - 22 pages
N-Testimony on SB 873 - Unidentified person - 4 pages
O-Testimony on SB 869 - Gary Bauer, PGE - 4 pages

Submitted by: Reviewed by:

Jill Copeland for Kus Soumie Peter Green Assistant Administrator