

March 16, 1977

The Natural Resources Committee convened in room 437 on March 16, 1977, at 8 a.m. with Chairman Sheldon presiding and all members present (except Reps. Hirsch and Huennekens who were excused) for a hearing on the following bills:

SB 175 SENATOR MARGARET S. WARDEN, Senate District 18, the bill's chief sponsor, spoke first and a copy of her talk is exhibit 1 of the minutes. She said this bill allows for front-end solid waste disposal planning through grants to the counties.

TERRY CARMODY, Solid Waste Management Bureau of the Department of Health, gave a slide presentation on solid wastes--the need and proposed solutions. He presented to the committee copies of the March issue of Forward, which discusses these two bills. This is exhibit 2 of the minutes. He mentioned that 590,000 tons of refuse is generated annually in Montana and this is expected to increase to 810,000 tons by 1990. He said 77% of this is combustible (worth \$6.50 a ton when compared to coal BTU); secondary materials can also be recovered. He said it could cost about \$60 a ton to properly dispose of wastes so a small community is sometime ahead to haul it as far as 100 miles rather than run their own landfill dump. He mentioned a stoker type boiler would cost 2.8 million and the waste would cost about \$6.15 to process. Suspended type boilers would cost about 5.3 million.

SENATOR WARDEN went through SB 175 explaining briefly the different sections. Exhibit 3 of the minutes is a copy of her statements. She said Douglas G. Stewart with the recycling center in Missoula supports this bill.

STEVE BROWN, Dept. of Health, said SB 175 is an attempt to deal with a pressing problem--the need of money. He said before federal funds can be made available a state plan must be adopted. He said the bill was amended to allow the state department to adopt the plan. He said Mr. Carmody is to be commended for his study of this problem.

JIM MURRY, Ex. Sec. of the MT AFL-CIO, spoke next in support and a copy of his testimony is exhibit 4.

STEVE WILLIAMS, Anaconda Co., said they support this bill.

GORHAM SWANBERG, Montana Railroad Association, said the bill would not have an impact on the railroads but sometimes the Railroad Assoc. takes a stand on bills they think are for the public good. He said they support this bill.

ELTON M. ANDREW, Montana Beer Wholesalers Assoc., spoke next and a copy of his testimony is exhibit 5.

JOE CROSSWHITE, Operating Engineers and WETA, spoke in support. He said it was a coincidence that he and Mr. Murry agree on garbage. He expressed a belief that all the heat wasted by burning garbage should be put to use. He said the coal miners oppose the concept but the operating engineers support it as it will mean jobs.

BOB HELDING, MT Wood Products, said they support the concept of SB 175.

EVA SPAULDING, League of Women Voters, spoke in support and a copy of her testimony is exhibit 6.

SONNY HANSON, Montana Technical Council, said they support this bill and SB 200.

MARIE MCALEAR, Twin Bridges Town Council (Alderman), said they support the bill. She said because of the cost to very small communities to comply with state and federal sanitary landfill regulations, they feel that a drop station program for their community would be beneficial in both health and sanitation to our citizens and municipal budgeting.

PAT BINNS, Citizen of Montana, said to be sure and remember a centralized solid waste recovery plant would take a rich garbage stream, and the stream could change with package and bottle legislation. He said a program which addresses recovery from solid wastes is needed. He said an alternative to a centralized system is a home source separation program--this he endorsed. He said they found slow initial participation in such a program but this increases with education and with time. He felt aluminum should be used for insulation and solar and not for cans and other throwaways; waste paper he said could be used for high quality cellulose insulation.

RUSS RIEBEN, Director of Flathead Recycling and with the County Refuse Disposal System, said they oppose SB 175 as they don't feel the benefits derived from a resource recovery program would be great enough compared to the costs. He said this type of program is in its infancy so the cost of building is great and it could be obsolete shortly after being built. He said there would be problems with contracts and guarantees on amount of waste to be delivered to these centers. He said this would limit the recyclable ability of independent stream commodities within the garbage stream. He said as far as allowing the state to get into a resource recovery program they would rather not see that go through.

DEAN ZINNECKER, MT Assn. of Counties, said they opposed the bill. He said the purpose of the bill is to obtain funds--and there are federal rules that will go with these funds. He said the local governments are hard put to operate when the state and federal governments tells them what to do. He said the planning has been done--now provide grants and loans to do the job. He said page 14, line 12, eliminates the amount of indebtedness the constitution requires; and page 14, line 7, requires the state to keep other moneys apportioned to that county if that county is behind on its solid waste bills. He urged a serious look at the bill.

Senator Warden in closing said we must remember the constitution recognizes there is a state government and local governments and the local governments are not sufficient unto themselves. She said the resource recovery is not a mandatory program--only three areas where resource recovery programs might be feasible. She said it is up to local governments if they are to get some of the front-end planning money. She mentioned the Great Falls shredder which is soon paid for.

She said unless there is a market it is not feasible to recover materials. She mentioned when glass sells for \$32 a ton it is feasible to truck it to the West Coast--but at \$20, no.

During questions Rep. Bengtson asked if funds will be taken from the Renewable Resources Program each year or if the local governments will become self-sustaining. Mr. Carmody said the money is being applied for just this time; HB 708 would supplement it. Rep. Hurwitz asked how Mr. Carmody envisioned this working in small communities. Mr. Carmody said it depends on where the community is situated. Columbus, he said, has found it more economical to haul to Billings than to operate their own. If the community is too far away the logical thing would be to have their own. He said this is why planning money is needed. Rep. Quilici mentioned Butte, Anaconda and Deer Lodge which have discussed forming a district at midpoint. Mr. Carmody said to keep in mind the need of a market for the energy as well as the secondary materials. Mr. Carmody said the planning money need not be asked for by a county, the only mandatory part was that if taken it be used for the purpose granted. Rep. Nathe said a community does not become obligated when accepting the planning money unless it turns up a feasible plan, in which case it is obligated to participate in the state plan.

SB 200 SENATOR MARGARET WARDEN, Senate District 18, as chief sponsor of the bill, left a copy of the law pertaining to solid waste disposal. She went through SB 200 explaining what it does, exhibit 7. She said this bill extends the authority of the state to regulate the transportation of hazardous wastes, and requires licenses to be issued by the Health Department for the proper disposal of solid wastes. She said in five years federal law says there is to be no more burning dumps. She said every Montanan creates 1100 pounds of garbage annually.

JIM MURRY, Ex. Sec. of the MT AFL-CIO, spoke in support and a copy of his testimony is exhibit 8.

STEVE BROWN, Lawyer for the Health Dept., said the big change in the law is to allow the Health Department to issue licenses. He said they asked for the licensing right because of the landfill problem--operators not in compliance. He said the district court ruled they did not have the authority at this time to shut down an improperly operating landfill. He said it provides for the right to appeal to the department. He urged passage of the bill.

STEVE WILLIAMS, Anaconda Co., said they support the concept and provisions of the bill.

ROBERT N. HELDING, Wood Products Assn., said they support the amended bill the committee has before them.

JOE CROSSWHITE, Operating Engineers and WETA, said they support the bill.

BOB GANNON, Montana Power, said they were concerned about SB 175 in its introduced form but feel it is now satisfactory. He said they support both bills.

ELTON M. ANDREW, Montana Beer Wholesalers, said they support the bill. His testimony in exhibit 5 also covers this bill.

RUSS RIEBEN, Director of Flathead Recycling and on the County Refuse Disposal System of Flathead County, said the problem his county commissioners have is the problem of state versus local control of the management and operation of their landfill. He said on page 11, line 10, it requires reports and he would like to see that taken out.

DEAN ZINNECKER, MT Assn. of Counties, said it was basically a question of money. He said the local governments would love to have the resources to comply with what the state government promulgates. He said the property tax is burdensome now. He strongly recommended that section 10 be deleted.

Senator Warden in closing said the plan is feasible and urged the committee's consideration of the bill. She said there is no way the state can maintain proper health standards for dumps without some state control. She said we don't have the problems of other states yet but they are coming, especially around our growing urban areas.

During questions Mr. Carmody mentioned they would need to approve the planner, he would need to be a reputable person in the field of solid waste. He said they need the authority in the bill to ask for reports on hazardous wastes. Mr. Brown said it is important to keep subsection "d" as it coincides with rules already adopted. He suggested the following amendment on page 11, lines 12 and 13, to delete "solid waste management system" and insert "hazardous wastes, and the transportation of hazardous wastes".

Letters from companies interested in the energy derived from solid waste plants were received from Hoerner Waldorf, exhibit 9, and Anaconda, exhibit 10. These were left by Sen. Warden.

Meeting adjourned at 10 a.m.

Respectfully submitted,

  
ARTHUR H. SHELLEN, Chairman

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