

**ATTENTION: The March SWMAC Meeting will be the 5TH
TUESDAY OF THE MONTH - MARCH 30, 2004. PLEASE
MARK YOUR CALENDAR!!**

**SOLID WASTE MANAGEMENT ADVISORY COUNCIL
FEBRUARY 24, 2004, 6:30 PM
H.R. TRAINING ROOM-- 4TH FLOOR, COURTHOUSE SQUARE
555 Court Street NE, Salem OR 97301**

ROUTINE BUSINESS:

The meeting was called to order at 6:30 pm by Robert Anderson, Chair

MEMBERS PRESENT: Robert Anderson, Lori Brown, Joe Gordon, Lyssa Goward, Russ Johnston, Mary Kanz, Dennis Nielsen, Kelly Schreiber, Thomas Smith, Judy Skinner, Leslie Stafford, Mark Steele, Diana Bodtker, Michael Clark, Kurt George, John Matthews, Susan Riches, David Phelps

MEMBERS EXCUSED: Nora Schliske, Glenn Zimmerman

MEMBERS ABSENT: None

PUBLIC SIGNED IN: Bonnie Sullivan, Ellen Twist, Carroll Johnston, Kyle Elwood, Dave Worthington, Debbie Kennedy, David Schreiner

STAFF PRESENT: Jeff Bickford, Carol Ault

APPROVAL OF MINUTES:

MOTION: Joe Gordon moved to approve the minutes. Russ Johnston seconded.

Discussion:

Lori Brown suggested the following corrections to the minutes:

1. #11-PVC Education was not added to the outstanding list. Please add it.
2. Page 2 - Joe Gordon is the one that told about the two new applicants and Bob Anderson added additional comments.
3. Lori had mentioned that she passed a truck one morning that was going south toward the burner, and she asked Jeff about it and he said they were having medical waste brought down.
4. Page 3, bullet 5 - Should read - Lori Brown was aware that the fluorescent bulbs would be moved to the HHW Facility.
5. Page 3, bullet 1 - Lori said when the new HD TV's come in.....

Judy Skinner had the following correction:

Page 2 - clarification of the different types of plastic: #1 is PET, #2 is HDPE, #3 is PVC, #4 is LDPE, #5 is Polypropylene, #6 is Polystyrene, #7 is Other/Misc.

On Page 2, Mark Steele mentioned that it was recommended that the Council inform the BOC of the potential conflict of interest in that Susan Riches works for a franchise hauler.

Joe Gordon mentioned that, on Page 3, bullet #5, Jeff Bickford (not Joe Gordon) mentioned that there would be no limit on fluorescent tubes.

(Correction to the minutes cont.)

Bonnie Sullivan commented that she had suggested adding the Holiday Dinner Planning to the outstanding items list.

Abstentions: None

Dissensions: None

RESULTS: Minutes approved with corrections.

MOTION: Denny Nielsen moved to add the Holiday Dinner Planning to the Outstanding Items List as #12.

Discussion: None

Abstentions: None

Dissensions: None

Results: Motion passes.

Bob Anderson introduced the two new members: Susan Riches, who filled a Chamber Position and David Phelps, who filled the Public Health Position.

Susan Riches is an office manager for Loren's Sanitation and has worked there for 17 years. Susan lives on a grass seed farm in the Silverton area and graduated from Oregon State University. Susan is looking forward to serving on the council.

David Phelps was a professor and chairman of the Department of Public Health at Oregon State University for the past 25 years. David is a University of Oregon graduate. David looks forward to serving on the council.

PUBLIC INPUT:

Kyle Elwood speaking: Kyle commented that he was disturbed by the process of no prior announcement that the cap on medical waste was to be lifted. Kyle felt that there are quite a few issues that should have been discussed and considered. Kyle mentioned that one of the reasons the cap was put on in the first place is because the facility was close to being topped out. The question still exists: *What happens when the facility is topped out?* There are consequences to diverting waste. Who saves the money? Who gets the money? Is it the haulers? Is it the county? There are bio-accumulation issues as far as toxicities. Who's going to be monitoring that in the plant or in the fields? Maybe there's no issue, but is it going to be monitored to see? Kyle feels this issue should be reopened for public discussion.

David Schriener speaking: What is the real issue being discussed here? We're balancing two things: dangerous to public health vs. potentially increasing revenue. This issue has been visited extensively before, but what have really changed since these issues were discussed are time, economic condition in county government and the name of the company. There may be more, but those are some of the things that I focused on. Apparently, from what I can gather, this report from the sub-committee (not to be taken personally), is what started it. We have this one page report, and I'm not even going to discuss the merits of the issue of the dangers and dioxins which has all been hashed out and I think every member here should educate themselves on those issues if we're going to decide that. This report is factually inaccurate. David Schriener had three scrapbooks that he offered to lend to the Environmental Services Library if anyone was interested in viewing them. The scrapbooks will be available to view "in the office" only. David Schriener read a short article from the scrapbook that came from the Statesman Journal, August 13, 1997. *Keizer -- Three speakers will be featured during a special meeting of the Marion County Solid Waste Management Advisory Council to be held tonight at McNary High School. The topic of discussion will be the merits of burning medical waste. Representatives from the organization of Physicians for Social Responsibilities, the Ogden Martin Waste-to-Energy plant in Brooks, and the state's Department of Environmental Quality, will all make presentations and field questions from the council. The public is invited to attend. The Council members are expected to consider sometime after the meeting, the 7-year-old county practice that allows for the burning of medical waste from other counties. In the past, some council members have questioned whether the practice should be continued at all in light of*

concerns about effects on public health. Others argue that the amount of such waste burned at the plant is too small to have an effect. Burning medical waste is controversial because it has a high concentration of plastics. When plastics burn, they are believed to release harmful dioxins into the air. The meeting will take place from 6:30 to 9:30 pm in the school's auditorium, 505 Sandy Dr. N, in Keizer. David mentioned some of the council members who attended: Kyle Elwood, Russ Johnston, Mary Kanz, John Matthews, and Mark Steele. Also attending was Jeffrey Hahn with Ogden from California, Dr. Paul Connett from New York, a representative from DEQ - Rick Gates, and Bryan Johnson, moderator. There is a lot of history that isn't recorded in the report and if the tapes still exist, maybe people should listen to them and hear what was said at that time. The Physicians for Social Responsibility held two conferences on the health hazards of dioxins at the Salem Public Library.

Carroll Johnston speaking: Mr. Johnston circulated an email he sent to the Board of Commissioners. (A copy will be included for the absent members.) Carroll agreed with Kyle Elwood about the process in which this was discussed in that it did not involve the public the way it could have. Carroll urged the council to educate themselves about the degree of toxicity of dioxins and mercury, especially when the mercury gets in the bodies of water and turns into methyl mercury. If you're not familiar with that, I urge you to become familiar with that. It's a public health hazard that's not tended to well enough. We have a source of it in the incinerator. There is discussion about the amounts that come out being minute. The part of the discussion I have not heard is the fact that the stuff doesn't go away. If you put it on the scale, and it is going to tip the balance to public health vs. not public health and you put on an ounce at a time until it reaches 1000 pounds, or you put on 1000 pounds all at once, it's still going to tip the balance when you get enough ounces to equal 1000 pounds. Mercury does not go away. Even the smaller amount of mercury worries me. It only takes a few grams to pollute an entire lake once it turns to methyl mercury. If we use the theory that the solution to pollution is dilution, it doesn't work perfectly. The same is true of dioxin. Being a Vietnam Veteran, I have direct experience with that substance. It's wrecked my health for many years and I recently went back to Viet Nam and saw what it's still doing there over three decades later. The entire areas of the country are wastelands where they used to be jungle. There are babies being born deformed or still born as a result of what we did there over three decades ago. This stuff is toxic and it stays toxic and it stays around for a long, long time. I encourage you to read and learn about that. Another thing is the monitoring of this. There is no program that's monitoring what's going on in our lakes and ponds, etc. in the Willamette Valley, as a result of these layers upon layers of mercury that are coming out each year. There was one test that I am aware of which was done several years on the species of fish that is not known for accumulating mercury. The reason for that is that it was done at a time of year when the other fish species are not available to be caught as easily. That was done as a college project. That information is available in the Solid Waste Management Department because the results from the laboratory was sent to Jim Sears. It did not reach the Health Department's level of toxicity to quarantine a lake like it did on parts of the Willamette River, but it is approaching that.

Bob Anderson added that there has been much discussion by the Council regarding the effects of biochemical buildup and thanked Carroll Johnston for his input. What we are dealing with is the ability to balance history with current environmental needs.

Ellen Twist speaking: Ellen Twist inquired as to why the phrase *protects the public health* was omitted from the By-Laws. Mary Kanz explained that it wasn't intentionally removed and that she would research the editing of the By-Laws. The omission may have been an electronic error.

Ellen Twist read a speech she'd prepared as part of the public input: To the SWMAC: Never underestimate your importance. In 1998, Director Jim Sears brought a suggestion to divert the incinerated wet garbage from area restaurants and create a new cow chow program. This was well before mad cow disease hit the front page. Fortunately, a lay position council member was well enough read to speak strongly against it. As I recall, we were assured no meat would be allowed in the mix. But another lay member had worked in a restaurant and protested, knowing full well the standards of careless workers. Fast food restaurants would have been a particular liability. As I recall, three people were strong enough to stand up to the vote and say 'nay', thus, defeating it. In a group that toured a dairy being fed left over produce from markets, I personally saw three plastic bags in the trough during that visit. A careless worker? Low standards? It doesn't make a difference? I don't know, but I was certainly grateful for the SWMAC turning Jim Sears' recommendation down. Another

debatable issue came before SWMAC last November. Denny made a motion to lift the cap of 1500 tons of medical waste that the incinerator is permitted to burn annually and market this available product. The reason being that Marion County is in financial straights and \$200 for medical waste is much better than \$67 for regular solid waste. This recommendation has not yet been presented to the Board of Commissioners and three companies have already contacted the Department. One from Bellingham is already bringing their infectious waste. In-county medical waste has remained below 350 tons through 2003. It will be quite interesting to see what toxins we can attract to Marion County. Is additional revenue worth our citizen's health? In the very brief history Denny gave the council, there is no mention of the opposition. Two month's after that panel discussion, SWMAC voted to lower the cap. SWMAC voted to lower the cap on medical waste from 6,000 tons to 1500 tons per year and to create a campaign to reduce all dioxin producing components. It passed unanimously. Three of those people are still on SWMAC. Why did they change their vote? Money? There are a couple things I would like to point out in regard to the recent vote. I believe the Oregon Open Meetings Laws, ORS 192.640 was violated because the topic, Group Updates, did not give any indication of the finance committee's report nor certainly that there would be a vote to recommend the County change its' position. Thus, there was no opportunity for council members to learn both sides of the medical waste issue before it was brought to a vote, nor listen to public concerns. I strongly suggest rescinding the illegal vote, and putting it on the agenda for discussion next month. On a slightly different note, I would like to offer some information that was presented by the Toxic Waste Subcommittee, May 8, 2001. Three of us, Lori Brown, Dave Worthington, and me were on that committee. The fourth one is a toxicologist who has been doing double duty since 9-11. There is a video of this presentation in the Department of Solid Waste files. As most of you are new members, I made copies. There may not be enough copies for the entire group. Of particular significance, is on the very last page. The mortality for malignant melanoma in Marion County far exceeds by double, or more, every other county in this state. What's different about Marion County?

David Worthington speaking: I am from Keizer and a past member of the SWMAC. I just wanted to emphasize again as was pointed out by Carroll Johnston that the thing about medical waste is that it has a much higher concentration of organo chlorides and when you burn it, it produces the whole family of dioxins and other organo chlorides that are carcinogenic and also interfere with your endocrine systems. Places like Vermont and Maine were making progress and heading up the nation to separate medical waste and to not burn the organo chlorides, etc. I thought we would be following their lead and going in that direction. I also wonder what's changed since I was on the council and since this has been hashed over for years and years, I know that a lot of standards have been relaxed. Maybe the EPA has relaxed more standards, but that doesn't mean the reality is not out there.

Debbie Kennedy speaking: I just had a friend die January 15. He was a Vietnam Vet and had a degenerative nerve condition which caused him to lose control of all bodily functions. It took him approximately 3 ½ years to die a very agonizing death. He felt very strongly that it was due to his exposure to Agent Orange in Vietnam. No amount of money is worth the amount of money that's associated with dioxins. In 1996, David and I both went to Vietnam and we also saw a huge display about the effects of dioxins from Agent Orange in their country that continues on today. Our health is worth more than the money.

Bob Anderson thanked the public for their input. In defense of the SWMAC's decision - the Council is all concerned about the environment and they didn't base their decision on the financial aspect. Bob suggested that the discussion on Medical Waste continue on to the April SWMAC meeting. Comment was made to not blame each other, but to work together to find a solution. Bob invited the public to come back for further discussion on this issue.

MOTION:	Diana Bodtker moved to place the issue of burning additional medical waste at the burn facility on the agenda for next month. Joe Gordon seconded.
Discussion:	Mary Kanz suggested that staff check with Legal to follow up with Ellen's accusation of an illegal vote. Jeff Bickford mentioned that he did check with Legal and it was their opinion that it should not have been a decision item. Basically, it was not an actionable item. Judy Skinner suggested that if it's an actionable item that it appear on the agenda for the following meeting. Michael Clark commented that the council's error was to not put it in the agenda for the next SWMAC meeting, instead of voting on it that night. Jeff Bickford commented that the amount of medical waste is not even close to the 1500 tons. Joe Gordon mentioned that he would rescind his previous motion.
Abstentions:	None
Dissensions:	None

Ellen Twist mentioned that after she listened to the tapes of the past meetings, there was certainly no prior motive, the council just didn't know. Ellen talked with Glenis and was told that each new member should have a green booklet in their packet about the public meeting laws. Ellen also mentioned that it says in the booklet that the names of the people voting 'nay' should be listed. Ellen asked when this issue would go to the BOC. Jeff answered, "no time soon, since the decision was invalid."

Lori Brown asked if everyone heard what Jeff said to Mary about what he found out from Legal. The Council answered that they did hear.

COUNCIL INPUT/ANNOUNCEMENTS/NEW BUSINESS:

- Bob Anderson mentioned that Carol will be putting together a new member handbook, so if anyone has any input as to what should go in that booklet to let Carol know. Mary suggested that the "old" members get a refresher packet of the information that the new members get, excluding the Solid Waste Management Plan which members already have.
- Lori Brown has offered to mentor Leslie Stafford.
- Lori Brown mentioned that the article on PVC is on the back table.
- The term notices for the SWMAC have been updated and copies are on the back table also.
- Mary mentioned that on Monday, February 23, the Salem City Council set a public hearing date for March 1 for the Polk County Hazardous Waste surcharge that will be occurring in West Salem. The public meeting will be at noon at Salem City Hall. The way it's proposed by Polk County, what they need is 25cents per household per month to help pay their portion of the Household Hazardous Waste Program.
- Mary also mentioned that all the haulers submitted DEQ tonnage reports that are required by law and the numbers are being reviewed and comparing 2002 to 2003 to see what the difference mixed recycling has made.
- Lyssa asked about plastic bag recycling other than taking them back to the store. Mary explained that since plastic bags don't weigh very much, the economics is what keeps it from happening. Mary informed us that it's not necessary to remove the labels from the tin cans or to crush them. Just make sure all the food is rinsed out. Judy asked if the no crushing policy is effective only in Salem-Keizer area. Mary explained that in the larger cities, the automated systems do the crushing, where, in the smaller cities, it's done manually. So, yes, the smaller city residents should remove the bottoms and flatten the cans. Although, the hauler will still take them if they are not flattened. Leslie asked why Capitol Recycling at the Transfer Station doesn't take the plastic bags. John answered that quality control is a big issue on plastic bags from the public. Saran wrap (PVC) is not compatible with the LDPE or HDPE that the grocery bags are made of. These incompatible plastics could ruin large batches of recyclable plastics. Leslie asked why Garten or Capitol Recycling couldn't collect it and transport it to Agri-Plas. Mary explained that there's more cost of transporting the bags than it actually is to reprocess them.
- Mary mentioned that all retailers are required to offer paper or plastic bags to the consumer.
- Bob commented that many people in New York use cloth bags to carry their products home from the stores.
- Joe said that the Fred Meyer South and East stores will take the plastic bags back. Mary mentioned that folks could call the recycle hot line at 503-390-4000 and there will be a list of places that take the plastic bags for recycling. A lot of the thrift stores will gladly take the bags to reuse.
- Judy suggested that, under Council Input, at each meeting someone on the council share a bit of information on recycling or whatever that others may not know.

GROUP UPDATES:

- The Food Waste Presentation by Glenn, Judy and Mark will be postponed until the March meeting.
- Lori asked that her name be removed from the following subcommittees: **Waste Reduction:** Facilitating increased solid waste audits; Waste Reduction subcommittee; Reuse or Exchange Program for the public; Waste Reduction/Recycling List Serve; Marketing: Educate the community;

Commercial Recycling: Enhanced Opportunities (BOC); Buy Recycled-more promotion than annual event. Lori asked that her name be **added** to Code Enforcement; and also to Toxics/Chemicals in waste stream and PVC.

- Thomas let his group (subcommittee) know that he should soon have information on the Agriculture plastic and Styrofoam peanuts recycling. Thomas also asked about the Recycling Educator - Jeff explained that Bonnie McCullough is the Waste Reduction Coordinator for Marion County Environmental Services and Bailey Payne is the Recycling Coordinator for Marion County Environmental Services. Cheryl Hagseth is the Recycling Educator for Salem-Keizer School District funded by the Department through a grant. Judy explained that the reason the Recycling Educator-countywide is on the Subcommittee List is because the time Bailey is available to devote to schools outside the Salem-Keizer area is limited. Thomas mentioned that Bailey makes presentations all over the county if contacted by other schools, as time allows.
- Lyssa mentioned that she belongs to a group that does shows on CCTV and invited anyone who would like to put together something to present to the public on recycling education or environmental issues.
- Leslie asked why just Salem-Keizer School District, why not Cascade School District? Jeff explained that Salem-Keizer School Dist. Covers approximately 75% of the population. For a brief time, the county funded the Willamette ESD, and it was so hard for them since it's such a huge geographical area, it was difficult to make it work. There are so many small districts that are so contained and the key to getting in the classes is to be an employee of that district.
- Lori mentioned that, when she was in the Master Recycler program, for some of her pay back hours, she went to some of the private schools to do some recycling education presentations because the County Educator doesn't cover all the private schools. Lori also mentioned that the school carnivals are lots of fun and resources are available from the Environmental Services office. ie: pencils for prizes, informational flyers, etc.
- Judy commented that she has been told that the private sector schools are ineligible. Jeff and Lori clarified that was not true, that the library in the Environmental Services office has numerous videos, books, etc. that can be checked out for use in presentations. Lori mentioned that the Environmental Services Department also has various games and Bailey also has an awesome puppet show. Ellen Twist also donated an Energizer Battery costume.

OUTSTANDING ITEMS LIST:

- Add #11 - PVC Education
- Add #12 - Holiday dinner

ROUTINE UPDATE FROM STAFF by Jeff Bickford

- Waste Reduction Grants will open for application on April 1, 2004. Jeff explained that once a year \$200,000 is potentially available for waste reduction grants. Applications must be received by May 28, 2004. Applications are available online as well as from the Environmental Services office. Mark asked about a focus grant. Jeff will explore this.
- Waste Composition Study - data will be available at the next SWMAC meeting from Jeff.
- Judy asked what it would take to have part of a grant to send a Master Recycler to the AOR Conference. Jeff will look into this and talk about it next month.
- The pre-bid meeting for the HHW Facility will be at the Salem Transfer Station on Tuesday, February 25. Bids are due by the 10th of March. The lowest responsible bidder and the apparent lowest cost will be announced at the March SWMAC meeting.
- The Volunteer of the Year awards are coming up. Anyone can nominate someone.

AGENDA FOR NEXT MEETING – FEBRUARY 24, 2004 6:30 pm.

- | | |
|---|------------|
| * Medical Waste Discussion | 45-60 min. |
| * Food Waste Presentation by Glenn's Subcommittee | 30 min. |
| * By-Laws update by Mary | 3 min. |
| * Master Recycler to receive Grant for AOR Conf. (Jeff) | 5 min. |

- __ The PVC presentation from Bailey Payne will be postponed until the April Meeting.
- __ Jeff noted that on the member list that his extension should be Ext. 5992. Please make that change since Carol just handed out a new list.
- __ Jeff mentioned that we received two applications for the vacant Citizen-at-Large Position. Carol will set up interview times for the two applicants.
- __ Since March 23, 2004 is Spring Break, it was suggested to have the next meeting on March 30.

**That will be the 5th TUESDAY OF THE MONTH. This is for
March ONLY!**

MOTION:	Michael Clark moved that the March meeting be moved to the 5 th Tuesday since Spring Break will be during the 4 th Tuesday. Joe Gordon seconded.
Discussion:	Mary may not be able to make it to that meeting, but she will have the By-Laws report if she will not be there.
Abstentions:	None
Dissensions:	None
RESULTS:	Motion Passes

<u>MEETING REVIEW</u>	
<u>Went well</u>	<u>Needs improvement</u>
- Great turnout of public attendees	- too loose; talking over each other; raise your hand to speak
- Thrilled to see three former members sitting in the public section	- have discussion/order passed through the Chair
- Thanked the Chair for thanking the public	

Discussion on Public Input during the Medical Waste Discussion:

- Judy suggested that public input be divided into two different sections for the March meeting. Public Input at the regular agenda order and then invite the public for input during the Medical Waste discussion. Bob agreed.
- Kelly thanked Ellen Twist for coming in with something written out. Other speakers seemed to say the same thing over again.
- Bob mentioned that we should let the speakers know they each have 3 minutes to speak, but we could be somewhat flexible.
- Joe suggested that Michael Clark, Vice Chair, keep tabs of the time of the speakers.
- Lori explained that Public Input is put at the beginning of the meeting so the public doesn't have to sit through the entire meeting, if they choose not to. Lori also commented that the Chair or Vice Chair needs to watch closely for the hands that are being raised, so people don't talk over them.
- John suggested putting in the notice what time the Medical Waste Discussion would begin.
- Bob agreed with John's suggestion.
- Judy suggested putting the Medical Waste Discussion at the beginning of the meeting, and keep tabs of the time so there is time allotted for the rest of the agenda.
- Lyssa commented that it's important for the public to have their time to say their comments, since what they say might help the Commissioners with their decision.
- Leslie suggested having speaker cards for the public visitors. Bob explained that there is a sign-in sheet for the public and space for them to list their addresses should they wish to be put on the mailing list for the minutes.
- Judy suggested doing the approval of the minutes, then Public Input and then go right into the Medical Waste discussion and allow time at the end of the meeting to do the other agenda items. Then if needed, extend the Medical Waste discussion to the next meeting.

- Thomas agreed with Judy’s suggestion. You have a set agenda and when it’s time for the next agenda item, go on.
- Lori added that there was an Agenda Subcommittee who set the agenda up as it is for a purpose and it is productive to have Public Input at the beginning of the meeting.
- Kelly asked the public if they gave their input during Public Input, and we didn’t have time to discuss it until later in the meeting, would they be willing to stay to hear the council’s discussion later in the meeting. The public was agreeable with this.
- Ellen Twist recommended rescinding the “illegal vote” and asked how it was going to be done. Judy added that it was rescinded because it was illegal. Jeff said that Legal told him the vote was invalid.
- Thomas commented that nothing has gone to the BOC. A recommendation was made by the SWMAC to recommend to the BOC to lift the cap, but nothing has gone to the BOC yet.

MOTION: Joe Gordon moved to rescind the November vote to lift the cap on medical waste, and to put it on as an agenda item for next month. Leslie Stafford seconded.

Discussion: Mary suggested the motion be worded as “lift the cap” not “increase medical waste”. Joe reworded the motion as is written above.

Dissentions: None

Dissensions: None

RESULTS: Motion passes.

Informal straw vote was taken to see where to schedule the Medical Waste discussion for the March meeting:

Right after Public input - No. III:	12
On the agenda between No. V & VI:	7

It will be at the beginning of the meeting, right after Public Input. Food Waste will be under Group Updates. If Medical Waste discussion takes longer than the allotted time, then it will be carried over the April meeting.

ADJOURNMENT:

MOTION: Lori Brown moved to adjourn the meeting. Joe Gordon seconded.

OPPOSED: None

RESULTS: Motion passes

Shared/typing/swmac/minutes/2004 02 24

Reminder: The SWMAC Meeting will be March 30 at 6:30 pm in the Senator Hearing Room on 1st Floor at 555 Court Street NE, Salem Oregon. For this month, it will be the 5th Tuesday of the month. See you all there!