

JOINT INTERIM TASK FORCE ON TIRE RECYCLING

June 7, 2002
9:00 A.M.

Location: Metro Building, Portland, OR
Tapes 53 - 58

MEMBERS PRESENT:

Timm Schimke, Chair
Mark Hope, Vice-Chair
Michael Blumenthal
Alex Cuyler
Keith Dahle
Mary Sue Gilliland
Paul Gilson
Eric Merrill
Janet Matthews
Dick Nordness for Nick Hodel
Lynne Storz
Bruce Walker

MEMBERS EXCUSED:

Tom Miles Jr.
Nick Hodel

GUEST:

Dick Nordness for Nick Hodel

STAFF PRESENT:

Sandy Thiele-Cirka, Committee Administrator
Linda K. Gatto, Committee Assistant

ISSUES HEARD:

Public Hearing

- **Review and Discussion of Proposed Recommendations**
- **Review and Discussion of Market Development Workgroup Recommendations**

Work Session

- **Adoption of Recommendations**

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 53, A		
005	Chair Schimke	Calls the meeting to order at 9:12 a.m. Acknowledges April 16, 2002 meeting minutes and requests status of outstanding minutes. Approval of April 16 minutes deferred until the next meeting.
031	Paul Gilson	Discussion regarding the timing of the conference call from Rep. Donna Nelson during the May 17 th meeting.

- 048 Chair Schimke Informs the committee that the Association of Oregon Counties had a meeting Wednesday with the landfill/solid waste managers group. Provides the main recommendations:
- Be specific about how much the fee would be raised and what it would be used for; and
 - Shift the responsibility from the consumer or the disposers to the manufacturers.
- 066 Lynne Storz States that she was surprised that there was no opposition to the fee.
- 074 Janet Matthews Adds that there was no vote taken.
- PUBLIC HEARING**
- 082 Matthews Identifies the workgroup participants, Mark Hope, Eric Merrill, Bruce Walker and Paul Gilson and begins review of the proposed market development plan; States that the subcommittee met four times between May 24 and June 3. Submits and reviews (**EXHIBIT A**). Highlights the five items of consensus which serves as a foundation:
- More end-use markets;
 - Need for funds and the use of the existing tire recycling fund;
 - Champions for change within key agencies;
 - Management of scrap tires is a regional issue; and
 - Landfill disposal should be viewed as a last resort.
- 132 Matthews Conveys that this framework was used to develop the market development plan that: in the short term use the existing resources, relies on market forces to expand the market. Discusses the importance of establishing recovery goals for Oregon tires and establish a trigger date that if the goals are not met, a new funding source would be established. Begins review of the goals;
- Recovery of 60 percent of Oregon tires by 2006 and 80 percent by 2009;
 - Use generation rates and recovery rates with 2001 as a base year;
 - If the 2006 recovery goal of 60 percent is not achieved by the end of that year, an increase in the solid waste disposal fee (DEQ disposal fee) be triggered and continue until the 80 percent goal is achieved.
- Continues explanation that the workgroup discussed a predetermined recycling market development plan be triggered; however components of the plan were not identified.
- 160 Matthews Continues review:
- Identifies the importance of the implementation of a program oversight and supports a governor appointed tire recycling board to advise on program development and accountability.
 - The development of regional coordination initiated by the governor to coordinate scrap tire regulations, expand recovery

markets in the northwest states which are consistent with Oregon's.

- Encourage product stewardship by the manufacturers and retailers. Suggests accepting Rubber Manufacturers Association's (RMA) offer on education.
- Discuss incorporating tire retailers in the development of end use markets.
- Cultivate expertise in higher education. Improve information gathering and analysis.

208 Eric Merrill Acknowledges Janet's work on compiling the thoughts of the group. States there was some disagreement on the basic goal. According to his notes the goal should read; "the goal should be set and if not met by a predetermined date a funding mechanism should be established to achieve the goal through a predetermined market development plan by a secondary date".

238 Pause of five minutes to review **(EXHIBIT A)**.

248 Vice-Chair Hope Provides additional clarification:

A. Product stewardship: Positive feedback on the RMA offer, tire dealers have a role as in educational areas, and propose a data information sheet that explains what is currently being done with the tires for the public.

B. Regional Coordinator: Discussed what avenues are currently available to the governor. Briefs his discussion with a member from Idaho who was the father of the tire bill in Idaho.

C. States there was discussion about accountability with the champions to prevent a position from being established that is non-productive. States it would be advantageous for a volunteer board to oversee the champions and if the board felt it was necessary they could be the catalyst in contacting the legislature or the governor or both.

D. Discussion of the goals identified that the state currently requires 50 percent waste reduction. States that the long term goal is to get to a minimum of 80 percent.

383 Matthews Clarifies that the reference to using the existing tire recycling fund is to add to the uses of the fund not deplete the fund, however that is a risk.

401 Alex Cuyler Clarifies that landfill would not be included in recovery. Asks wouldn't you have to raise the tax on disposal to generate money as more and more tires are captured.

420 Vice-Chair Hope Responds there was no consensus on a tire fee. Comments that the workgroup focused on a solid waste tax of approximately 0.13 cents. Notes that the tax would apply to all solid waste including all tires regardless of where they are coming from.

466 Cuyler Questions if the discussion included the development of specifications, acceptance and use of rubberized asphalt go beyond specifications.

494 Gilson Responds it was the consensus of the group to put teeth in it.

TAPE 54, A (overlap up to 181)

- 181 Cuyler Comments that the City of Eugene have specifications regarding procurement policies but they are not promoted.
- 195 Vice-Chair Hope States that the issue is whether to mandate or voluntary efforts. Explains that mandates crystallizes opposition. Theorizes that if rubberized asphalt has significant merit, the life cycle analysis indicates economic benefits, and meets performance expectations the champion would play an active role in its promotion. Notes that the work group product is a voluntary 2-3 year program, with money in place, with a mechanism for a more aggressive approach as an option.
- 227 Chair Schimke Asks is the fee collected for tires that are landfilled is the same as solid waste.
- 232 Mary Sue Gilliland Answers there have been some inconsistencies, but the fee should be the same. Notes that the fees are allocated to the solid waste general activities fund.
- 240 Merrill Clarifies that what the workgroup is proposing a .10 to .13 cent fee tacked on all solid waste in Oregon directed toward funding the tire market development programs until the goals are achieved.
- 247 Cuyler States that for the record this has been in legislative draft before and rejected.
- 260 Sandy Thiele-Cirka, Administrator Requests historical information.
- 262 Gilliland Responds it did not get to the committee with the fee in it, the bill was House Bill 3374.
- 281 Chair Schimke States he is comfortable with the approach even if there is not a specified fee or program.
- 296 Michael Blumenthal Suggests having a range or a target fee, and that the program recommendation be based on what has succeeded.
- 342 Storz Comments in agreement that the fee should be included. Proposes that the fee be administered by the oversight board rather than DEQ. Comments that rural counties tend to sit on the OC Committee of commissioners and scrap tires may be of interest.
- 359 Bruce Walker Questions if the fee were directed for tire uses, and there is a tire board, would that work.
- 401 Chair Schimke Summarizes that it would be a compromise that the board would have oversight and authority on how the fees were allocated.
- 421 Thiele-Cirka Questions if the board would be a time certain or ongoing.
- 423 Matthews Responds for as long as the fee and market development were in place and the 80-percent recovery has not been met. Clarifies there was not a deterioration of the previous program; it was a deterioration of the fuel market.
- 440 Merrill Proposes a sunset clause.
- 460 Chair Schimke Comments that the sunset is when you achieve the 80 percent goal.
- 481 Gilson Notes that the directive is to come up with a sustainable program. Asks is there a way to measure the disposal of Oregon tires.

TAPE 53, B

020	Gilliland	Responds that the numbers are only as good as the landfill provides. States that the current state budget shortfall may impact waste studies and material recovery surveys.
070	Gilliland	Concludes that the numbers are getting better but she is unsure how often the numbers will be generated
115	Vice-Chair Hope	Concurs, and states that the data received from the landfill or processing plant is only as good as what the collectors are reporting.
118	Merrill	States that the recommendation that came from the group was to have DEQ's input on what the department needs.
159	Gilliland	Explains that the computer program is set up to take the source of the material coming out at the waste shed level, that information is applied as a percentage.
174	Keith Dahle	Questions if the data being collected from the carriers similar to the data submitted for the Material Recovery Survey.
188	Gilliland	Answers yes and no. States that with the larger companies, DEQ does not require permits when they self hauler. Explains that one goal is capture the data without requiring the report to be filled out twice.
228	Matthews	Inquires if there is a large percentage of numbers missing.
234	Gilliland	Responds the big companies are surveyed and almost all of the end markets are surveyed as well.
246	Matthews	Asks Eric to discuss the difficulty determining Oregon tires versus out-of-state tires.
253	Merrill	Responds the issue is that Finley Buttes has maintained that the solid waste does not become tires until they were segregated and determined to go to a landfill. Explains the reason for that position is that the tires that are processed are exempt from Metro fees.
287	Gilliland	Notes that this is not just a tire specific issue, it includes other recycled materials. Give Albertson stores as an example. Concludes going on some amount of estimation is inherent in the program.
316	Chair Schimke	Asks the current plus or minus percentage.
317	Gilliland	Responds that on the waste study approximately five-percent.
322	Walker	Asks what changes DEQ would recommend.
344	Gilliland	Responds the waste tire carrier would probably have the most accurate number. States there may be some resistance as these companies would then have a permit fee requirement.
383	Gilson	States it was a consensus that the issue is regional. Oregon has an infrastructure to dispose of tires that are not just Oregon tires. Questions if for recovery goal purposes include all tires that are coming in rather than just Oregon tires.
408	Chair Schimke	Responds there is a significant difference in the tracking and reporting in Oregon has compared to neighboring states.
420	Gilson	Responds that at this point what incentive is there for Washington to assist.

- 447 Chair Schimke Contends that whatever market development solution is developed will prove a regional solution and Oregon tires are a way to measure the progress.
- 463 Cuyler Notes that from a statistical standpoint Oregon is recovering what is generated.
- 478 Matthews Asks when the 2001 numbers will be available.
- 484 Gilliland Responds the goal is August 2002.

TAPE 54, B

- 032 Chair Schimke Comments that the tracking of tires could fit into the duties of the champion.
- 039 Merrill Responds that the subcommittee agreed to guard against the champion being a number counter as the role of the champion is to for them to focus on market development. One major aspect is to have the neighboring states develop programs that are comparable to what Oregon is doing.
- 066 Blumenthal Notes that the state of Washington recently enacted legislation to work on tire reuse.
- 086 Cuyler Questions how difficult is it to manipulate the recovery rate.
- 092 Vice-Chair Hope Responds the limit is the tonnage collected, you can't allocate more tonnage than is collected. Washington and Oregon have waste reduction goals, Idaho does not.
- 154 Cuyler Asserts that the regional coordination manipulation of recovery goals be addressed.
- 169 Merrill Asserts that Oregon take care of its own house and try to bring the neighboring states in. Concludes that this issue ultimately has to be addressed regionally.
- 196 Cuyler Questions if there are examples where Washington and Oregon have worked together on regional issues.
- 198 Matthews Responds salmon, forestry and power.
- 219 Gilson Proposes another trigger to kick in if cooperation is not attained.
- 228 Blumenthal Asks how the committee would define regional cooperation.
- 237 Merrill Stresses his opposition to tires being moved into a competitor's landfill. Notes that if Oregon establishes a standard that all tires that come into Oregon have to be recycled, the tire won't come into Oregon.
- 250 Matthews Concurs, that affects the solid waste programs in Oregon.
- 261 Vice-Chair Hope Discusses the political limitations of the interstate commerce clause and the political will of the state of Washington.
- 310 Walker States that if Oregon makes it a mandated program, it may be ineffective in achieving Oregon's goals.
- 328 Gilson States that the probable reason that the tires are coming into Oregon is economic and proposes developing a program that makes it unattractive to continue. Asks what if the price per ton were increased.
- 367 Chair Schimke Comments that the tires are also coming into Oregon for processing, transportation and distance play a role.

- 388 Dick Nordness Concurs, Oregon has the processors.
- 407 Gilliland States that she is not speaking for DEQ but wants to share some of the preliminary assessments. Explains that they are protective of the tire clean up fund for tire clean up. Explains that it is solid waste permit fee funds that are allocated for enforcement, appraisals, clean up planning, and the FTE time involved. Notes that the clean up fund covers the removal of the tires.

TAPE 55, A

- 030 Gilliland Explains that an FTE assignment for DEQ and ODOT is approximately \$150,000 per FTE. Illustrates the big picture, noting that there is one fund for tires, glass, mercury, household hazardous waste, or electronics.
- 097 Walker States that the FTE cost for the City of Portland was about half of what she quoted. States that the best use for tire recycling fund money is to move ahead in the market development area.
- 135 Vice-Chair Hope Concurs. Provides a brief history of the clean up fund. Proposes property seizures and property liens.
- 185 Vice-Chair Hope Proposes half-FTE for DEQ and half-FTE for ODOT. States that the report he has says the fund generates about \$70,000 in interest a year so the fund would not be depleted at the end of two or three years to get to the trigger point and hopefully other funding revenue will be available.
- 221 Dahle Comments that the recommendation can be made and the legislative process will massage it. Proposes making a point of what percentage of solid waste are tires.
- 242 Matthews Corrects an earlier quote of \$70,000 interest on the Tire Recycling Fund is biennial revenue. Comments on the task force previous discussion regarding task force members meeting with the DEQ/ODOT directors to discuss the task force objectives and goals.
- 300 Merrill Proposes getting both directors to concur on a cooperation agreement.
- 314 Gilliland Discusses and proposes drafting a letter that informs ODOT of a half-time FTE to work with DEQ on road/environmental issues.
- 354 Chair Schimke States that the directive of the task force is to look at tires and expresses concern about encompassing other solid waste concerns into it.
- 374 Dahle Responds that the directive also includes analyzing the present situation regarding tires.
- 385 Matthews Adds that includes improving the management of the resource.
- 406 Gilliland Responds the purpose of her earlier comment was to raise the awareness of potential obstacles that could arise.
- 429 Cuyler Asks for acknowledgment of the time involved considering that the task force is the product of HB 3909 and now the task force is about to make recommendations.
- 468 Merrill States that the Oregon Association of Solid Waste Collectors has historically defended DEQ from any rating on their funds.

TAPE 56, A

- 024 Doug Riggs Representing PAC West. Refers to consideration of other items other

than tires. Recalls that last session there were discussions on the recycling of mercury, computers, and appliances. Explains that when all the components are added up it is the difference between 47 percent and 51 percent recycled which allows cities and counties to meet their state mandated goals.

- 047 Blumenthal Comments that for those other materials there is one recipe for dealing with them and they are market based. Tires are localized and the marketplace can be impacted. Summarizes that tires are a separate issue.
- 079 Gilliland States that there are pollution control tax credits and a grant program that could be explored for funding.

LUNCH BREAK

- 100 Gilliland Clarifies that the \$150,000 per FTE figure stated earlier is a biennium number not an annual number.
- 115 Chair Schimke Outlines the status of the task force. Comments that there have been some legislators that have expressed an interest in the progress of the task force. Asks if the task force is available to meet to allow interested legislators to attend.
- 200 General discussion regarding member availability.
- 219 Nordness Refers to section B, **(EXHIBIT A)** and asks what the current recovery rate is.
- 227 Gilliland Answers 32 percent for year 2000.
- 231 Nordness Asks if the proposed 2006 and 2009 recovery goals are achievable.
- 235 Matthews Responds unless the recovery rate jumped in 2001. Proposes lowering the percentage to make it more achievable.
- 246 Vice-Chair Hope Proposes the task force take address the recommendations individually in a work session.
- 282 Chair Schimke Closes the discussion portion of the meeting and opens a work session.

WORK SESSION

- 286 Chair Schimke Proposes that the task force consider the five statements of affirmation.
- 294 **Hope** **MOTION: Moves that the word “must” be changed to “should” in Item #1.**
- Merrill** **Second.**
- 298 **Matthews** **Disagrees with the motion. States she is certain that end use markets must be created to solve the issue and “should” implies there is another way to accomplish the goal.**
- 326 **Merrill** **Proposes to restructure the sentence to read “Oregon must develop more end use products in order to increase scrap tire recovery”.**
- 348 **Chair Schimke** **Hearing and seeing no objection, declares the motion PASSED.**
- 359 **Hope** **MOTION: Moves that Item #2 be accepted as written.**
- Blumenthal** **Second.**
- 363 **Chair Schimke** **Hearing and seeing no objection, declares the motion PASSED.**
- 372 **Gilliland** **States as a DEQ employee she will abstain on all votes today.**

- regulatory infrastructure, market development, and clean-up.
- 155 Walker Asks is the tire recycling fund precluded from making market development.
- 160 Gilliland Responds affirmatively, not without a statutory change, the language is no longer there.
- 173 Matthews Comments that the tire needs have changed.
- 191 Matthews Second.**
- 199 Chair Schimke Outlines two options:
- amend the language by eliminating any reference a funding source
 - add language that would incorporate a fee and a funding source with waiting for a trigger mechanism
- 210 Cuyler Comments that it has already been adopted that the tire recycling fund should be broaden. Proposes removing the first part of the sentence and begin it with Establish tire recycling champions.
- 222 Walker Explains that the subcommittee felt that a funding source needs to be identified up front. Supports having the positions locked in but does not agree with leaving it blank and hope the legislature will provide funding.
- 244 Nordness States that the tire dealers would see the value in promoting the use of at least part of the tire recycling fund.
- 260 Cuyler Asks do we ignore the fact that at one there was support for a tire fee.
- 273 Walker States that the reason the bill got a hearing was to move the fee away from the retailer and set up this committee.
- 307 Gilliland Expresses that two FTE is too much, concerned that there is not enough work to support one FTE.
- 327 Dahle Asks if whatever they recommend will someone want to cut it down the road.
- 332 Blumenthal Suggest one FTE for DEQ and a half FTE for ODOT.
- 350 Merrill Comments that in the final analysis there needs to be a limit on how much of the tire fund is to be spent.
- 365 Walker Urges the task force to keep the numbers as is and states that he believes it is within ODOT that most of the gain could occur.
- 395 Merrill MOTION: Moves to add a bullet item that encourages the use of tires for alternative daily cover and consider that use recovery.**
- 400 Merrill Explains that the processing required under Oregon state law reduces volume by 60 percent and it would require additional processing for alternative daily cover use. States that the committee in the state of Washington was looking at this and suggests that the task force align themselves in the interest of regional cooperation.
- 480 Chair Schimke Second.**
- 481 Walker States that the use of tires in cell construction in developing landfills is a reasonable use of scrap tire. Asks if that use would be considered recovery.

- 492 Gilliland Answers under her definition yes, except when used as alternative daily cover the statute specifically says it is not.
- 495 Walker Confirms that it would require a statutory change to include alternative daily cover (ADC).
- TAPE 56, B**
- 033 Gilliland Refers to the budget note attached to the 1999 legislative session that brought up the idea of wood waste as (ADC) was discussed but there was no consensus.
- 044 Merrill MOTION: Moves to amend his amendment to adding that it be included in the recovery numbers.**
- 051 Chair Schimke Comments if the effort is to make the material suitable for alternative daily cover, it is a value added process.
- 063 Vice-Chair Hope Suggests that if this does not pass, suggest that it at least be explored and evaluated.
- 087 Walker Questions the benefit of discussing ADC when there are already too many tires land filled.
- 094 Matthews States that she does not support the amendment and concurs with Walker. Explains that it is in conflict with the idea of resource conservation.
- 107 Storz Concurs with Matthews and Walker and comments that while it may be appropriate, it should not be included in the recovery rate.
- 115 Gilson Concurs that he can not support it as a recovered resource.
- 122 Blumenthal Abstains.
- 124 Chair Schimke The motion FAILS.**
- 125 Vice-Chair Hope MOTION: Moves to amend to include a separate bullet to evaluate the use of ADC.**
- 136 Chair Schimke Second.**
- 136 Merrill Agrees with Matthews that the product of the task force have the broadest support possible.
- 145 Vice-Chair Hope Explains that the reason for leaving it vague and to be evaluated is that the state of Washington is heading that direction and would like Oregon to be prepared to explain why Oregon does or does not support ADC when this is addressed on a regional basis.
- 154 Matthews Comments that she is not opposed to discussing ADC on a regional cooperation basis, but opposes this being a responsibility of the champion.
- 173 Walker Expresses that an evaluation should be done but asks where to place it.
- 185 Nordness Explains that the state of Washington is doing it because other states are including it in their recovery rate.
- 194 Blumenthal Responds it depends on the state, it is not consistent across the board. No state disallows ADC, only California counts ADC toward their recycling goals.
- 220 Gilliland Clarifies that ADC is by statute not counted as a recovered material.

- 244 Walker Asks would this be under the regional or champion section.
- 249 Vice-Chair Hope Answers if it has a valid, technically feasible, and there is a scientific reason for doing it than there is a positive value, but, opposes the idea of getting around the rules.
- 277 Walker Asks for the question to be restated.
- 278 Thiele-Cirka Responds, “evaluate the use of scrap tires as ADC”.
- 281 Chair Schimke Asks for a show of hands.
- VOTE: 4-5**
- AYE: 4**
- NAY: 5**
- EXCUSED: 2 – Hodel, Miles**
- ABSTAINED: 2 – Blumenthal, Gilliland**
- The motion FAILS.**
- 288 Chair Schimke Calls for the vote on the original motion.**
- Chair Schimke Hearing and seeing no objection, the motion PASSES.**
- 298 Walker MOTION: Moves to accept Item B Establish a Recovery Target and Funding Trigger as written.**
- Merrill Second.**
- 304 Dahle Asks if there is a suggestion for a dedicated increase to the solid waste disposal fee of approximately 13 cents.
- 312 Matthews Expresses that it is too early to discuss the fee.
- 318 Merrill Disagrees, states setting the fee and setting the budget that would be triggered is necessary for generating support.
- 330 Storz Questions if a portion of DEQ’s fee to be increased would also be followed by a consensus on a tire fee amount.
- 340 Chair Schimke Responds that it would be directed towards all solid waste.
- 355 Matthews States that the predetermined market program needs to be identified.
- 358 Cuyler Confirms the number is approximately 0.13 cents.
- 366 Merrill Responds that there is no basis for that figure as it relates to market development.
- 380 Dahle Disagrees that the market development needs to be determined by the task force. Proposes that the champion or advisory board could work on this and establish a 2003 effective date if the goal has not been met.
- 399 Chair Schimke Agrees. Believes that it would be better to tailor the program based on what is succeeding and what is not over the next two years.
- 410 Cuyler States that the retailers do not want a disposal fee because it targets the tire as a negative commodity. States that Items A and B are placing a targeted amount, per ton fee on all solid waste but only fund market development for tires only.
- 439 Merrill Agrees with Matthews in that there is an opportunity to put together a market development program and put a fee on it that would set the exposure of those in the industry.

- 460 Vice-Chair Hope States that this is a waste reduction goal issue. Believes that if this model works it may be duplicated for other problematic materials in solid waste.
- TAPE 57, A**
- 035 Nordness Asks if the percentages are realistic, would 50 percent be better.
- 042 Matthews Responds that in the subcommittee it was based upon what those in the business believed would be challenging but not unrealistic.
- 053 Walker Explains that it is not an exact science. Explains that the subcommittee felt that this was a reasonable compromise that would have broad support.
- 078 Gilson Expresses his concern that the goal is too low.
- 091 Matthews Clarifies that the reasoning behind Item A was that it was short term, market forces prevail. Item B assumes that market forces didn't accomplish the goal and fulfils the question of what can be done to boost the recovery.
- 102 Blumenthal Asks when the FTE would begin to focus their efforts.
- 108 Thiele-Cirka Predicts the effective date would probably be January 2004.
- 115 Blumenthal Asks is it necessary to wait until 2004 for the market development programs.
- 139 Vice-Chair Hope Clarifies the ability of RMA to do their workshops.
- 141 Blumenthal Confirms it could be late summer or fall. Clarifies that this would be market development programs, exclusive of the FTE's.
- 155 Karen Mainzer Questions who would control of how the fee is spent, DEQ or the oversight board.
- 160 Blumenthal Responds that the task force has not officially discussed that yet.
- 165 Matthews Responds it is a DEQ fee.
- 173 Merrill **MOTION: Proposes to amend the existing language in the first italicized sentence to read "Oregon tires of 60 percent by the end of 2006 and 80 percent by the end of 2009" AND further amend the third italicized paragraph, last line "the solid waste disposal fee of _____. AND be further amended by deleting the fourth italicized paragraph and insert The Task Force proposes a subcommittee be established to develop "the Task force recommends the following market development plan and budget as follows _____".**
Explains this discussion of the subcommittee coming back to the task force and reviews what the market development plan and budget should be.
- 230 Blumenthal Notes that there are unidentified obstacles.
- 246 Merrill Summarizes that if the trigger mechanism is not established in advance, it is possible that in 2006 it will create fear and opposition. Summarizes that the objective is to let everyone know what it looks like.
- 263 Vice-Chair Hope Comments that regardless what the predetermined market development plan is, by filling in the line, a limit on what can be allocated is established.

- 278 Blumenthal Agrees that having a dollar amount provides a realm of expense. Suggests that the oversight committee track the market development and provide conclusions and recommendations based on what is developing.
- 311 Matthews Agrees that the predetermined market development plan needs to be discussed in broad terms but does not agree with placing the language in this section. Believes that the record will reflect the will of the task force.
- 332 Merrill Responds that this is not only the recommendation of the subcommittee, it is the recommendation of the task force.
- 348 Matthews Suggests that a small group from the task force discuss the concepts of a predetermined market development program that might take effect in 2006 and brought back to the task force before the final report is finished.
- 387 Walker Requests clarification of the intention of the blank.
- 405 Merrill Responds that the intention is for a work group to report back to the task force with a recommendation before approval of the final report.
- 409 Gilliland Concurs that the language state by the end of 2006 and by the end of 2009.
- 412 Chair Schimke **MOTION: Moves to AMEND the motion “Oregon tires of 60 percent by the end of 2006 and 80 percent by the end of 2009”. AND further amend the third italicized paragraph, last line “the solid waste disposal fee of ____.**
- 416 Chair Schimke **Hearing and seeing no objection, declares the motion PASSED.**
- 426 Chair Schimke **MOTION: Moves to approve Item B as amended.**
- 427 Chair Schimke **Hearing and seeing no objections, declares the motion PASSED.**
- 436 Gilson **MOTION: Moves to approve Item C as written.**
- 437 Vice-Chair Hope **Second.**
- 438 Blumenthal Asks if there will be any direction on the make up of oversight board.
- 444 Chair Schimke Respond not at this time.
- 464 Merrill Comments that the oversight board should have some effect on how the funds are allocated.
- 478 Chair Schimke **Hearing and seeing no objections, declares the motion PASSED.**
- 489 Matthews **MOTION: Moves to approve Item D as written.**
- 497 Blumenthal **Second.**
- TAPE 58, A**
- 027 Vice-Chair Hope **MOTION: Moves to further amend the amendment by inserting “evaluation of ADC” after requirements, in the last sentence.**
- 044 Vice-Chair Hope **Clarifies it should be “evaluation of scrap tire alternative daily cover (ADC)”.**
- 046 Matthews **Second.**
- 064 Storz Asks if the intent is to approve it as ADC or to include it in recovery.
- 067 Vice-Chair Hope Responds it is being intentionally left broad.

- 068 Matthews Asks that ADC be spelled out as Alternative Daily Cover.
- 071 **Chair Schimke** **Hearing and seeing no objections, declares the motion PASSED.**
- 078 **Chair Schimke** **MOTION: Moves to approve Item D as amended.**
- 079 **Chair Schimke** **Hearing and seeing no objection, declares the motion PASSED.**
- 086 **Matthews** **MOTION: Moves to approve Item E as written.**
- 087 **Storz** **Second.**
- 083 **Blumenthal** **MOTION: Moves that Item E be amended by inserting a comma after civil engineering and adding “tire derived fuel”. Moves to further amend Item E by adding “Furthermore, the industry will provide information on tire care and maintenance as well as educational materials for broad distribution”.**
- 105 Blumenthal Explains that the information would include; proper air inflation, rotation, front end alignment, balancing tires, jackrabbit starts, etc.
- 114 **Blumenthal** **MOTION: Moves that Item E be further amended by striking “Product Stewardship” and insert “Encourage Tire Industry Commitment to Scrap Tire Market Development”.**
- 135 **Vice-Chair Hope** **Second.**
- 136 Matthews Expresses that this does not seem to belong under market development.
- 144 Blumenthal Agrees that it is not market development per-se. Notes that it does work to reduce the supply of tires because they are being take of.
- 176 Cuyler Asks what the subcommittee discussion was that furthered the notion of product stewardship.
- 182 Matthews Responds that it meant that the tire manufacturers and retailers play a role.
- 195 Walker Responds that the subcommittee wanted it clear that it needed to include the manufacturers not only the retailers and solid waste officials.
- 200 Vice-Chair Hope Responds that his sense was to take advantage of the RMA’s offer.
- 218 Cuyler Comments that since retailers are the point of sale they could play a strong role in education. Notes that the language does not specify the role of tire retailer. Explains that product stewardship means there are various entities that have a responsibility and there needs to be something that the retailers can offer to the market development concept.
- 240 Nordness Responds that the retailer is currently educating the customer on tire pressure and periodic checks. Asks for clarification on what is expected of the retailers in line two of Item E.
- 258 Matthews Clarifies that (i.e. trunk bed liners) is a reference to Swab stores that promoted recycled rubber bed liners in their stores and this is included as an example.
- 275 Vice-Chair Hope Comments that it is too specific. Explains that he envisioned the retailer providing a data sheet that explains how that fee is used.
- 301 Nordness Responds that if the rubber manufacturers supply the information to the Northwest Tire Dealers Association, the retailers would probably not

- have a problem with this, and all retailers would be doing the same thing.
- 330 Cuyler Proposes to replace “broad audience” with “for purposes of distribution through retail networks”.
- 340 Blumenthal Responds by suggests “including but not limited to” or “retailers and others.”
- 365 Cuyler Asks for the motion as amended be re-read.
- 368 Thiele-Cirka Responds, the amendment is to change the heading by deleting “Product Stewardship By The” and insert “Commitment for Scrap Tire Market Development.” In the third line, after engineering insert a comma, insert tire derived fuel. Add a last sentence “Furthermore, the industry will provide information on tire care and maintenance and help to provide educational material for tire retailer and others.”
- 415 Chair Schimke Clarifies that the sentence being added is after “applications” and before “The Group”.
- 422 Dahle **MOTION: Moves to accept the motion to amend**
- 423 Cuyler **Second.**
- 424 Chair Schimke **Hearing and seeing no objection, declares the motion PASSED.**
- 433 Cuyler **MOTION: Moves to approve Item E as amended.**
- 436 Dahle **Second.**
- 437 Chair Schimke **Hearing and seeing no objection, declares the motion PASSED.**
- 443 Matthews **MOTION: Moves to accept Item F as written.**
- 446 Vice-Chair Hope **Second.**
- 456 Gilliland Inquires about how experts would be funded.
- 459 Notes that the term in the statement is “Cultivate” not Fund.
- 461 Gilliland Responds that cultivate without funding does not tend to happen.
- 463 Vice-Chair Hope Relays how an individual within a state agency in Maine took this issue on and developed it. Asserts that individuals in the academic environment or an expert or research oriented person who would be interested.

TAPE 57, B

- 034 Dahle Asks if there is someone already involved at Oregon State University.
- 037 Blumenthal Answers there is an individual name Dr. Hicks in civil engineering has been working with rubber modified asphalt.
- Notes that west should be capitalized.
- 069 Matthew Disagrees.
- 071 Chair Schimke **Hearing and seeing no objections, declares the motion PASSED.**
- 074 Merrill **MOTION: Moves to approve Item G as written.**
- 076 Cuyler **Second.**
- 080 Chair Schimke Asks for clarification on the last sentence.
- 081 Merrill Responds that the subcommittee wants to ensure that the data on the flow of Oregon tires is reliable and wants input from the DEQ as to

what they need to compile the information.

095 Cuyler Asks for clarification on who is to report, distributors or self haulers.

096 Merrill Responds that in this case it is one in the same.

099 Chair Schimke Hearing and seeing no objections, declares the motion PASSED.

109 Gilliland As a subcommittee of one, she will report back to the task force what DEQ may need in terms of providing better numbers.

113 Chair Schimke Opens the discussion on a subcommittee to establish a predetermined market development program.

123 Vice-Chair Hope Proposes that a subcommittee discuss what a market development plan would look like in four years if triggered and includes suggestions for the board.

138 Matthews Comments that there is a lot of material on what other states are doing. Recommends identifying broad possibilities.

149 Chair Schimke Adds and potential funding requirements.

170 Task Force Subcommittee discussion.

185 Chair Schimke Encourages everyone to look at the outline that was provided by Miles.

194 Matthews Leads a discussion about whether the task force wants the drafts a chapter at a time or not.

249 Chair Schimke Leads a discussion on when the task force will meet again. Announces the next meeting is August 15, 2002, tentatively 9:00 a.m. at Metro.

288 Thiele-Cirka Notes that the bill specifies that the task force is to report to the appropriate committee by September 30, 2002. Proposes that the task force meet before the House Transportation meeting scheduled in September.

366 Chair Schimke Suggests that it be scheduled for September 4, location to be announced and September 20 as a possible conference call, and September 24 the presentation.

413 Walker Acknowledges the hard work of the task force and distributes Portland Recycles sun-catchers.

433 Chair Schimke Adjourns the meeting at 3:30 p.m.

Submitted By,

Reviewed By,

Linda K. Gatto,
Committee AssistantSandy Thiele-Cirka,
Committee Administrator**EXHIBIT SUMMARY****A. Report of the Market Development Group dated June 7, 2002, Janet Matthews, 3 pp.**