

Minutes of Meeting --- February 16, 1971

Committee members present:

Thomas Wilson, Chairman
 John Foley
 Chic Hetch
 Lee Walker
 Clifton Young
 Emerson Titlow
 Coe Swobe

Also present were:

David Hagen
 Pete Barengo
 Frank F. Knafelc
 Jack Walther
 R.W. Stahl
 Joe Morrey
 Richard Kinner
 Jack Matthews
 Jerry Richmond
 David Drew
 Janet MacEachern
 Fula Forst
 Mike Toon
 Dr. Andrew Burnett
 William Picksley
 Samuel Bamberg
 Penney Whitman
 John Montgomery
 Gary Jesch
 Tom Jesch
 Debbie Breen
 Kim Seach
 Rachael Ronsley
 Veronica Aroya
 Cynthia Sheets
 Kim Webster
 Cheryl Corthell
 Denise Daily

U.S. Brewers Association
 Beverage Industry of Nev., Inc.
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 Wine Institute
 Coca Cola Bottling Co., Reno
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 League of Women Voters
 " " " "
 Nevada Wildlife Federation
 " " "
 Lahontan Audubon Society
 Sierra Club
 Nevada Horsemen's Association
 Students To Oppose Pollution
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Members of the News Media

Chairman Wilson called the meeting to order at 1:38 p.m. and stated the purpose of the meeting was to conduct a public hearing on one bill:

S.B. 22 Proposed by Senator Young
 Prohibits retail sale of certain beverages in certain containers and without indicating refund value of containers.

After hearing testimony from proponents and opponents of the bill Chairman Wilson adjourned the meeting to an executive session at which Senator Hecht moved to hold S.B. 22 in committee, seconded by Senator Young. The motion was unanimously approved.

Gentlemen:

I am David W. Hagen, Nevada attorney for the United States Brewers Association, Inc. The brewer members of the U.S.B.A. produce over eighty-five per cent of the beer brewed in this county. On April 2, 1970, the U.S.B.A. President, Henry B. King, presented a report concerning litter and solid waste disposal to the U. S. Secretary of Commerce. The report demonstrated the dramatic trend in beer packaging toward the one-way container. In 1960, nearly 81% of all beer sold was packaged. Cans made up 38% of this, non-returnable bottles, 8%, and returnable bottles were 54%. In 1969, 85% of all beer sold was packaged. Cans were 51%, non-returnable bottles, 21%, and returnable bottles were down to 28%.

Thus, in one decade, convenience or one-trip beer containers went from 46% of all packaged beer to 72%.

These convenience packages for beer, as well as convenience packages for thousands of other items available in super markets have contributed to a solid waste disposal problem and to a litter problem. In September, 1970, Robert S. Hatfield of Continental Can Company, presented a paper on solid waste and litter to the President's Conference of the U.S.B.A. at Colorado Springs. He pointed out the enormous increase from 1,200 to 10,000 in twenty years in food and household items available to consumers. During that period, America did little to provide for the disposal of the used packaging and it contributed to a solid waste and disposal problem. However, Mr. Hatfield also sought to set the record straight on the extent to which used packaging is involved in both problems. To quote from his paper:

Page 2.

"People just don't know that used packaging is only ten per cent of all solid waste, excluding mining, agriculture and animal waste. They don't know that metal cans of all kinds account for only 11% of used packaging. It would surprise almost everybody that the tonnage of food cans in solid waste is equivalent to the tonnage of cans for beverages. Each is 4/10ths of one per cent of solid waste.... There are few valid statistics available, but these indicate that surely no more, and probably substantially less than one per cent of used packaging is involved in litter. It certainly is not common knowledge that only one item of litter in five is a can and that paper products of one sort or another comprise about 60% of litter."

At the same conference, Richard L. Cheney of the Glass Container Manufacturers' Institute, cited a study reported in April, 1968, Proceedings of the American Society of Civil Engineers, revealing the average composition of municipal solid waste in the United States. It showed the following composition:

"Papers, 59%; wood, lawn and garden waste, 10%; food waste, 9%; glass, other ceramics and ash, 8.5%; metal, 7.5%; clothes, rags, plastic, rubber, leather and dirt, 6%."

The study did not specifically identify non-returnable beverage cans and bottles, but the cross-section requires the inference that the composition of such items is small.

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According to Mr. King's report to the Department of Commerce littered beer convenience packages are less than 15% of the total of litter items. Even if Senate Bill 22 ¹¹⁶ would eliminate this from Nevada, and even that prospect is unlikely, what impact would such a law have on the manufacturers distributors and consumers? In November of last year, Bill Coors of the Adolph Coors Brewery, addressed a meeting of the U.S.B.A. He said that a study of his brewery showed that installation of returnable equipment at Coors would cost \$93,000,000.00; that at today's freight rates, the use of returnable bottles would increase the average per case freight ~~\$.36~~ to wholesalers; that one store distribution center in the midwest, serving 200 super markets and a market of 8,000,000 consumers had determined that required returnable beer bottles would compel them to add \$.40 to a case in cost to offset return handling; that the loss of convenience packaging and the use of returnables would add to super market and distribution centers storage space requirement, thus contributing to general food cost increases; that wholesale distributors would suffer increased delivery costs by reason of weight and double cartage of containers.

In Madison, Wisconsin, an ordinance was considered which would have required a fifteen cent deposit on all non-returnable containers. Supposedly, it would have resulted in a ten per cent maximum decrease in litter. It has been reported that local merchants in Madison for two weeks rang up two bills on their cash registers for each customer: one for the correct amount owed and one to indicate what the bill would be should the proposed ordinance be passed. The average increase in weekly food bills was \$34.00. The ordinance was defeated. That's a bit high, but the deposit there was \$.15 and it was on all non-returnable containers, not just beverage containers.

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A concerned industry has jointly sponsored The
National Center for Solid Waste Disposal, Inc. The mission ¹¹⁷
of that Center is four-fold: 1. To serve as a resource agency
for information on litter and solid waste management systems;
2. To function as an agency to receive funds from private and
public sources for the support of research; 3. To contract
out research grants for the development of litter control and
solid waste management systems; 4. To obtain and evaluate
the results of research in litter control and solid waste
management, to utilize those results in design, test and
implementation of systems of litter control, solid waste
collection, recycling and disposal.

On December 2, 1970, the Board of the National
Center for Solid Waste Disposal, Inc. authorized the Market
Research Institute of Kansas City, Missouri, to conduct a
study to determine the economic impact of convenience packaging
restrictions. That study will be completed next month and
will then become available and we will all have more complete
information on the impact of packaging restrictions on the
consumer.

Notwithstanding the economic impact of S.B. 22,
will it be effective to achieve the result desired? In the
State of Vermont, from 1953 to 1957, a law was enforced banning
the sale of beer or ale in non-returnable glass containers.
The official Vermont State Litter Commission studied the
litter situation for two years under the ban and concluded
that the ban on non-returnable glass containers has not
lessened the quantity of roadside litter.

The U. S. Brewers Association is deeply concerned
with the litter problem, but does not see a solution in Senate
Bill 22.

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Even if the passage of S.B. 22 resulted in total elimination of beverage containers from litter in Nevada, 118 it could at best remove only that small percentage of litter made up by beverage containers. And it won't even do that. It will have no effect whatever on the litter of such containers brought in to our tourist state from other states by campers and passenger auto. Furthermore, it is questionable what effect such a prohibition would have on any Nevadan who was thoughtless enough to litter. One might argue that if an individual was thoughtless enough to litter in the first place, are we sure that the prospect of throwing away a deposit on a container will deter him?

One argument that I have heard is that the prospect of recovery of deposit will cause others to pick up the litter left behind, but this would have no effect on containers brought in from other states by tourists and vacationers and, in any event, certainly would not cause citizens to scavenge for refundable containers on busy highways, nor would it be wise for us from the standpoint of public safety to give anyone that incentive.

Even taking that most idealistic view that this bill might, but probably won't, eliminate beverage containers from our State's litter, it would do so by placing a heavy economic burden on the manufacturer, the Nevada wholesaler, the Nevada distributor and the Nevada consumer. While admittedly, it does touch the pocketbooks of those relatively few Nevadans who are careless enough to litter, it leaves unscathed that much greater number of careless out-of-state tourists who bring their litter here and leave it here.

I urge you that this bill's potential harm to our economy is great; that the potential benefit to our ecology is slight.

An Act to define, control and prohibit the littering of public or private property; to provide for a short title; to provide for a declaration of intent; to provide for definitions; to provide that it shall be unlawful for any person to litter public or private property; to provide penalties therefor; to provide for prima facie evidence under certain circumstances; to provide for the enforcement of this Act by law enforcement agents and officers; to provide that proper authorities and agencies shall provide receptacles for the deposit of litter; to provide for severability; to repeal conflicting laws; and for other purposes.

BE IN ENACTED:

Section 1. Short title. This Act shall be known and may be cited as the "Litter Control Law."

Section 2. Declaration of intent. It is the intention of the legislature by this Act to provide for uniform prohibition throughout the State of any and all littering on public or private property, and to curb thereby the desecration of the beauty of the State and harm to the health, welfare and safety of its citizens caused by individuals who litter.

Section 3. Definitions. As used in this Act, unless the context clearly requires otherwise, the following words or phrases shall have the following meanings:

(a) The word "litter" means all rubbish, waste material, refuse, garbage, trash, debris, dead animals or other discarded materials of every kind and description.

(b) The phrase "public or private property" means the right-of-way of any road or highway; any body of water or watercourse or the shores or beaches thereof; any park, playground, building, refuge or conservation or recreation area, any residential or farm properties, timberlands or forest.

Section 4. Unlawful activities. It shall be unlawful for any person or persons to dump, deposit, throw or leave, or to cause to permit the dumping, depositing, placing, throwing or leaving of litter on any public or private property in this State, or any waters in this State, unless:

(a) such property is designated by the State or by any of its agencies or political subdivisions for the disposal of such litter, and such person is authorized by the proper public authority to use such property;

(b) such litter is placed into a litter receptacle or container installed on such property;

(c) such person is the owner or tenant in lawful possession of such property, or has first obtained consent of the owner or tenant in lawful possession, or unless the act is done under the personal direction of said owner or tenant, all in a manner consistent with the public welfare.

Section 5. Penalties. (a) Any person violating the provisions of Section 4 of this Act is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of \$25.00 or imprisonment for three days, or both such fine and imprisonment, or, in lieu thereof, in the sound discretion of any court in which conviction is obtained, any such person may be directed by the judge of such court to pick up and remove from any public street or highway or public or private right-of-way, or public beach or public park, or, with

prior permission of the legal owner or tenant in lawful possession of such property, any private property upon which it has been established by competent evidence that he has deposited litter, any and all litter deposited thereon by anyone prior to the date of execution of sentence.

(b) The court is hereby directed to publish the names of persons convicted of violating the provisions of Section 4 of this Act.

Section 6. Prima facie evidence. Whenever litter is thrown, deposited, dropped or dumped from any motor vehicle, boat, airplane or other conveyance in violation of Section 4 of this Act, it shall be prima facie evidence that the operator of said conveyance shall have violated this Act and licenses to operate such conveyances may be suspended for a period not to exceed seven days together with, or in lieu of, penalties provided in Section 5 of this Act.

Section 7. Enforcement. All law enforcement agencies, officers and officials of this State or any political subdivision thereof, or any enforcement agency, officer or any official of any commission of this State or any political subdivision thereof, are hereby authorized, empowered, and directed to enforce compliance with this Act.

Section 8. Receptacles to be provided. All public authorities and agencies having supervision of properties of this State are authorized, empowered and instructed to establish and maintain receptacles for the deposit of litter at appropriate locations where such property is frequented by the public, and to post signs directing persons to such receptacles and serving notice of the provisions of this Act, and to otherwise publicize the availability of litter receptacles and requirements of this Act.

Section 9. Severability. If any provision of this Act, or its application to any person or circumstances is held invalid, the remainder of the Act, or the application of the provision to other persons or circumstances is unaffected.

Section 10. Repealer. All laws and parts of laws in conflict with this Act are hereby repealed.

STATE OFFICERS & DIRECTORS

ROBERT W. STAHL
President
Pres., Pepsi-Cola Bottling Co.
Las Vegas, Nevada

J. R. McCELHONE
Exec. V.P. South
V.P., Nevada Beverage
Las Vegas, Nevada

RICHARD KINNER
Exec. V.P. North
Gen. Mgr., Pepsi-Cola Bottling Co.
Reno, Nevada

P. C. BARENGO
Secretary
(Secretary-Treasurer-North)
Pres., Sierra Beverages
Reno, Nevada

ROBERT F. DELBERT
(Secretary-Treasurer-South)
Br. Mgr., Coca-Cola Bottling Co.
Las Vegas, Nevada

February 8, 1971

The Beverage Industry of Nevada, comprising of the soft drink people and the wholesale beer people, have formed an organization known as B.I.N. Inc.

PURPOSE OF B.I.N. INC:

To initiate, direct and administer a reclamation and recycling program of all metal and glass containers of the soft drink and beer industries. The State of Nevada Rehabilitation Centers will serve as redemption and processing centers.

PROCEDURE:

B.I.N. Inc. will pay to all groups, organizations and individuals for solid waste:

- | | | |
|---------------------|---|----------------|
| 1. Glass containers | - | 1/2¢ per pound |
| 2. Bi-metallic cans | - | 1/2¢ per pound |
| 3. Aluminum cans | - | 5¢ per pound |

SOUTHERN DIVISION DIRECTORS

JAMES W. COSTELLO
Pres., Roach Distr.
Las Vegas, Nevada

ROBERT F. REED
V.P., American Drinks Inc.
Las Vegas, Nevada

ROBERT S. KEYSER
Pres., DeLuca Importing Co.
Las Vegas, Nevada

WILLIAM G. COSULAS
Pres., Bonanza Beverage Co.
Las Vegas, Nevada

STEPHEN A. WYNN
Pres., Wynn
Las Vegas, Nevada

SAM D. HECHT
Pres., Las Vegas Distr. Co.
Las Vegas, Nevada

NORTHERN DIVISION DIRECTORS

JACK WALTHER
Gen. Mgr., 7-Up Bottling Co.
Reno, Nevada

CHARLES B. HANDWRIGHT
Pres., Pepsi-Cola Bottling Co.
Elko, Nevada

LESTER HELM
Gen. Mgr., Shoshone Coca-Cola
Bottling Co.
Reno, Nevada

JOSEPH LAXAQUE
Pres., Coca-Cola Bottling Co.
Ely, Nevada

ALFRED KERR
Gen. Mgr., Peralds Distr. Co.
Ely, Nevada

JULIAN MARCUERQUIAGU
Pres., 7-Up Bottling Co.
Winnemucca, Nevada

FRANK KNAPFELC
Pres., OK Distr. Co.
Reno, Nevada

JOE MORREY
Pres., Morrey Distr. Co.
Reno, Nevada

WILLIAM LUCE, JR.
Pres., Luce & Sons, Inc.
Reno, Nevada

KEN BROMLEY
Gen. Mgr., Wynn Distr. Co.
Sparks, Nevada

WILLIAM HARRISON
Pres., Harrison Distr. Co.
Sparks, Nevada

All containers in the Reno area will be taken to the Nevada Rehabilitation Center, Bill Kelly, Manager, 1050 Matley Lane, Reno, Nevada, Telephone number 784-6491.

The Reno center will receive containers Monday thru Friday from 1:00 p.m. to 4:00 p.m.

The Las Vegas office of the Nevada State Rehabilitation Center will be the redemption center for Southern Nevada.

B.I.N. Inc. does ask that a few simple procedures be followed:

1. Cans be separated as to bi-metal and aluminum.
2. Cans be flattened.
3. Bottles be sorted by color (white, green, amber).
4. All containers be reasonably clean.

B.I.N. Inc. will issue a voucher that is redeemable for cash at any office of First National Bank of Nevada.

Lucky Breweries a recycling program bottles and cans.

We think protecting the environment is everyone's job. So we've done something about it. We've come up with a plan to recycle all of our Lucky labeled beer bottles and cans, including our throwaway bottles. And here's how it works.

We'll pay 25¢ for every case of 24 empty Lucky bottles, or 1¢ apiece, and 12¢ for each case of 24 empty Lucky cans, or 1/2¢ apiece. Just return your Lucky empties to the brewery or to any of the Lucky wholesale distributors listed below. Only Lucky labeled beer bottles and cans will be accepted. (This means somebody can make a lot of money out of what people are now throwing away.)

Or if you wish, you can help support the work of Ecology Centers by donating your empty Lucky bottles and cans. Just return them to the Centers listed below and we'll pay the Centers for the empties when they are returned to us.

This program is the first of its kind sponsored by a brewery anywhere. We figure that this way we can all do our part to keep the beautiful outdoors beautiful. After all, it really is Lucky when you live in the West.

For more details call 415/368-3000 or for organizations interested in group collections, call 415/467-2211.



LUCKY DISTRIBUTOR RECYCLING CENTERS

San Francisco:
Lucky Breweries (467-2211)
2601 Newhall St.
Saturdays 10 a.m./4 p.m.

San Carlos:
Turturici (591-9606)
1055 Old County Rd.
Mon. & Thur. 9:30 a.m./12:30 p.m.

Santa Clara:
Bayshore Dist. (244-3511)
570 Martin Rd.
Saturdays 10 a.m./2 p.m.

Oakland:
East Bay Bever. (654-2432)
1685-34th St.
Tues. and Thur. 9 a.m./12 noon

Hayward:
M Dist. Co. (783-2700)
411 West A St.
Tues. & Thur. 9 a.m./12 noon,
and 1 p.m./3 p.m.

Concord:
M Dist. Co. (685-6303)
1540 Willow Pass
Tues. & Thur. 10 a.m./12 Noon

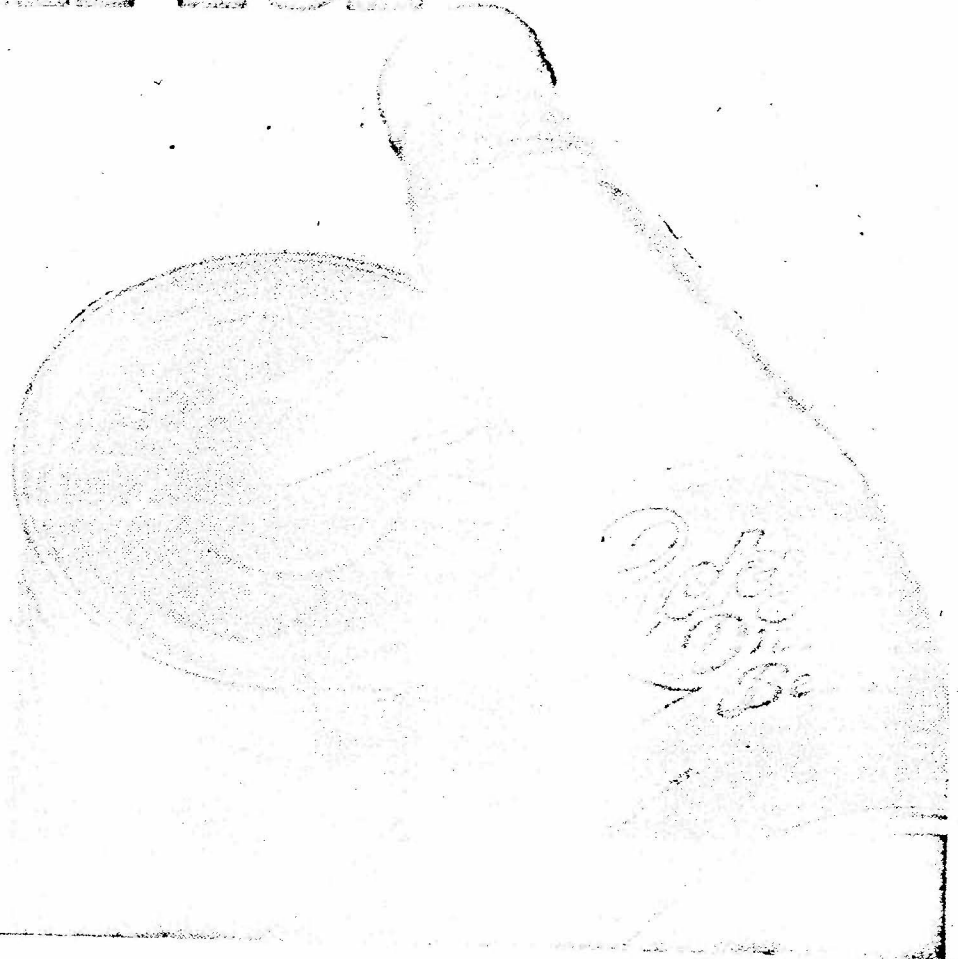
San Rafael:
Anchor Dist. (479-4840)
110 Paul Dr.
Tuesdays 10 a.m./12 Noon

Santa Rosa:
Ray Dar Dist. Inc. (542-2778)
812 Donahue St.
Thursday 1 p.m./4 p.m.
Saturday 9 a.m./1 p.m.

Petaluma:
L&S Dist. (763-4196)
494-2nd St.
Thursday 1 p.m./4 p.m.
Saturday 9 a.m./12 Noon

introduces

us for



ECOLOGY RECYCLING CENTERS

Berkeley:
Ecology Action Recycling Center
(843-1820)
1535 University Ave. at Sacramento
Sat. and Sun. 10 a.m./5 p.m.

Palo Alto:
Palo Alto Ecology Action (328-6752)
2660 Park Blvd.
Sat. and Sun. 10 a.m./4 p.m.

Castro Valley:
South County Ecology Center
(582-7664)
Castro Valley Co-op
3667 Castro Valley Blvd., Castro Valley
Sat. and Sun. 10 a.m./5 p.m.

Contra Costa County:
Earth, The Ecology Movement
(376-6036)
Campolindo High School
300 Moraga Blvd.,
Moraga
Collection points in locations
throughout the area

Marin County:
Marin Ecology Center Recycling
Project (383-4226)
Corte Madera Co-op
71 Tamal Vista Blvd.,
Corte Madera
3rd Saturday of each month

San Jose:
Recycle Now (274-0959)
5432 Cribari Ct., San Jose
Home pick-ups

Pacifica:
Pacifica Ecology Action (355-2851)
Pedro Point Driving Range
San Pedro Ave. just west of Highway 1
Collection bins available around
the clock

Livermore (San Ramon):
Valley Ecology Center Recycling
Project (443-5483)
Call for locations

2-16-71
NEWS RELEASE

For Immediate Release

STATE OF NEVADA 126

Department of Highways

Dec 31 - 1970

nevada, national highway litter index drops for second consecutive year

New York, N.Y., December, 1970 -- For the second consecutive year, the National Litter Index registered a four-point decline from the previous year level, Keep American Beautiful, Inc., the national anti-litter organization, reported.

The national figures were reflected in Nevada where, according to Highway Engineer John Bawden, costs of cleaning up after the public statewide declined from \$365,000 in 1967 to \$300,000 in 1968 to \$295,000 in 1969.

The 1970 Index stands at 94.27. This compares with 98.26 for 1969, 102.82 for 1968, 101.45 for 1967, 101.41 for 1966 and 101.91 for 1965. In 1964, the first year it was recorded, the Index was 100. The base figure is 100.

The Index, compiled annually by KAB, is based on the cost of litter removal from state roads compared with miles traveled on those roads by motor vehicles. The litter removal costs are supplied by the 50 state highway departments, and mileage by the U.S. Department of Transportation.

"The sustained two-year drop in the Index is a major victory for the thousands of organizations and individuals who have been fighting the litter menace these many years," said Allen H. Seed, Jr., executive vice president of KAB. "This is a dramatic turning of the tide after long campaigning against the highway litterbug."

The cost of collecting roadside litter in the 50 states has increased some 70 per cent in the past seven years -- from \$19,687,733 in 1963 to \$33,444,938 in 1969, Mr. Seed explained, "and this makes the improvement in the Litter Index all the more notable." He said rising labor and equipment costs are largely responsible for the steep rise.

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Miles traveled by motor vehicles in the U.S. rose 31 per cent over the seven year period -- from 311.7 billion miles in 1963 to 409 billion miles in 1969 according to the Department of Transportation.

Mr. Seed interpreted the continuing decline in the Index as "convincing proof of the effectiveness of the three-pronged KAB attack on littering." The "three prongs" are public education, enforcement of anti-littering laws, and provision of facilities for disposing of travel trash (litter receptacles and litterbags).

He pointed out that the drop in the Index comes at a time when KAB is expanding its operations through the opening of regional offices to work more closely with state and local litter fighters, and a major step-up in its school and youth programs.

"Our intention is to take every advantage of the momentum we have established," Mr. Seed commented. "Our goal is to completely exterminate the litterbug."

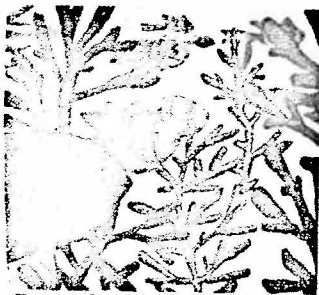
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December 31, 1970



Glass. All glass begins as sand. Now it can end as sand. There are machines that grind glass bottles into grains you can mix with sand and never see or feel the difference.

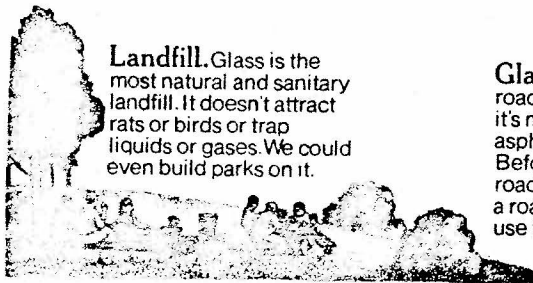
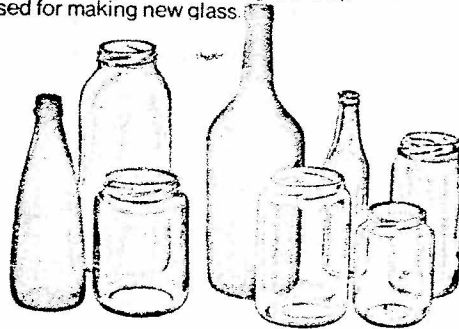
What happens to glass when you're finished with it? The facts about recycling glass bottles and jars.



Deep-Sea Reefs. Fish like glass bottles because they don't rust or contaminate water. That's why marine biologists say they make the best artificial reefs for cultivating marine life.

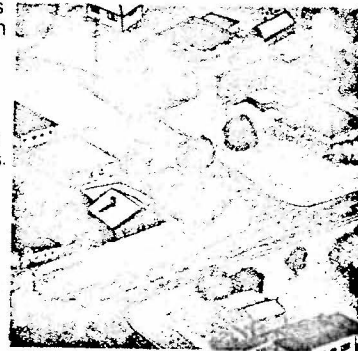
Reclamation. We've already established reclamation centers at over 90 glass container plants across the country. People return used bottles and jars and receive about a penny a pound. Millions of bottles have been collected so far. We'll use them for cullet.

Cullet. That's old glass when it's ground up and used for making new glass.



Landfill. Glass is the most natural and sanitary landfill. It doesn't attract rats or birds or trap liquids or gases. We could even build parks on it.

Glasphalt. That's road topping when it's made from asphalt and glass. Before you top a road, you line a roadbed. That's a use for glass rocks.



Glass Container Manufacturers Institute, Inc.
330 Madison Avenue, New York, New York 10017