

Assembly

ENVIRONMENT & PUBLIC RESOURCES-Room 131

February 16, 1973

All members present.

The meeting was called to order at 8:03 a.m. in continuation of Wednesday's hearing on A.B. 131 (the Bottle Bill).

FOR:

Standing in for Mr. Darrel Walton who is Chairman of Environmental Education of Nevada P.T.A., Connie Larsen from the State P.T.A. spoke on record as supporting this bill, except for the section providing redemption centers. (This testimony is attached as Exhibit 6).

AGAINST:

Mr. Jack Foster, President of Emerald Canning Company and President of the Coca-Cola Company in Eugene, Oregon, testified strongly in opposition to A.B. 131. Mr. Foster brought with him Mr. Harry Phomin as his comptroller in case any financial questions were asked. (Mr. Foster's testimony is attached as Exhibit 7).

Questions:

Mr. Smalley asked what the alternative , and suggested maybe to go through the governor about taxing the containers and use the money to clean up. Mr. Foster did not think this would be a good idea, and said that the enforcement of litter laws should be more powerful, and provide more stricter penalties for littering. Tourists are the ones who contribute to a lot of the litter problem.

FOR:

Mr. Homer Anrick, Maintenance Engineer for the Highway Department, spoke in favor of the bill. He focussed his testimony in giving figures on litter costs. In a program of clean-up, litter found was 33% returnable, and 38% unreturnable containers. Normal costs for litter pick-up is \$158,000.

Questions:

Mr. Lowman asked if the passing of this bill would lessen the work of the Highway Department maintenance, and Mr. Anrick answered that it possibly could, but no figures to actually prove it.

Mr. Jacobsen asked if they get federal allogations, and the answer was no, that it is all state money.

AGAINST:

The Chairman then asked Mr. Louis Peraldo, representing the L.W. Peraldo Company and the Winneva Distributing Company of Winnemucca, Nevada, to speak. As owner of the company, Mr. Peraldo spoke in opposition the this bill. (His testimony is attached as Exhibit 8).

FOR:

Mrs. Barbara Silberling, an interested consumer, testified for the bill. She began her testimony by quoting President Nixon: "We can no longer afford the indiscriminate waste of our natural resources, neither should we accept the inevitable amount of cost of waste removal. We must move increasingly toward post systems that recycle what is now considered waste back into useful and productive purposes." She brought up an ecology program in Palo Alto, CA, that seemed to be very successful in solving litter and recycling materials. She hoped to see something like this done here, and ~~this~~ bill might help the situation.

AGAINST:

Mr. Pete Barengo from the Pepsi Cola Company spoke out against this bill for about the same reasons as the other bottling companies did. He did say that about 100,000 people served by this company in Reno demanded that they put out "One Way" bottles. And with a 6¢ deposit that they have, people still do not return the containers. Mr. Barengo said that the company produces 40% cans, 30% one way glass, and 30% returnable bottles. His suggested answer is a recyclable program.

FOR:

A student from the University of Nevada, David Burrough, testifying in favor of the bill, because of the interest in the disposal of solid waste and the cleaning of this state. Shows that there is an ideological failure built into the concept of having people bring their bottles and cans to have them be made into more bottles and cans when the real problem is that we are using too much in the first place. Biggest problem is reuse.

AGAINST:

Mr. Les Kofoed from the Gaming Industry Association of Nevada, said that they are not against anything bettering the environment, but they are against to anything that increases costs, which A.B. 131 would do if passes. He thinks the better answer is a better litter law or better enforcement of present litter laws and expansion of recycling programs, and educational programs. Finally, another solution is a little policing job in everyone's own back yards, but this bill will not solve the problem.

Chairman Bremner then requested that someone from the Health Department to testify.

FOR:

Mr. Lew Dodgion from the State Health Department testified in favor of the bill. The reason for backing up this bill is the reduction of litter problems, which this bill would do.

AGAINST:

Joe Morrey, from the Morrey Distribution Company in Reno, also previous resident in Portland, Oregon for nine years, spoke against this bill, because he has heard that this bill has created chaos. People are beginning to think that they pay the extra 5¢ for the right to throw away the container. Even a law has been discussed about allowing 18 year-olds to drink because of the strict regulation against beer cans in cars of young adults, which causes them to throw them out in the streets. His solution is to educate children in grade schools with visual aids, and lectures. Education instead of Legislation.

FOR:

Tina Nappe, who was present at the Wednesday's hearing and unable to testify then, could not make it Friday, so she submitted her testimony for all the members to read. (Her testimony is attached as Exhibit 9).

More information that had been given to Chairman Bremner about A.B. 131 is also attached as Exhibit 10.

Chairman Bremner called the hearing adjourned until the next meeting to be held next Wednesday, at 8:00 a.m.

Respectfully submitted,

Geanie Armstrong
Assembly Attache

STATEMENT OF THE NEVADA P. T. A. REGARDING ASSEMBLY BILL 131

The Nevada PTA goes on record supporting Assembly Bill 131 with the exception of those sections providing redemption centers. It is the position of the PTA that Assembly Bill 131 will provide the incentive to move a step closer to better use of our limited resources.

The exception noted, however, is made with due respect to the sponsors of the Bill. It seems that the outlet that sells the beverage should have an obligation to its customers and dealer to provide adequate opportunity for redemption of the same containers.

Other salient points as noted in attached materials are:

Comments by the Chairman of the Board, Coca Cola, Atlanta, Ga., indicate the present use of non-returnables in other countries, and the rate of return for returnable bottles with his company.

Federal Register, Vol. 37, No. 133, indicating that bottling industry indicated five years use out of the average bottle when the Food and Drug Administration tried to phase out bottles indicating contents of cyclamates.

The education received by a group that tried to start re-cycling project in Oregon for retarded children as they were not paid the amount for glass as advertised by a large manufacturer of glass.

Chicago Daily News--Quoting economist Hugh Folk indicating an increase in employment and more spendable income.

Letter from the president of the Royal Crown-Dr. Pepper Bottling Company, noting that seventy-five per cent (75%) of the returnables that company sees are cleaned by consumers prior to return.

Notes in three different sources that the industry recycling metals does not receive most of their recyclables from the beverage industry but from other sources because of the poor grades of metal in containers

These points were touched on by representatives of the bottling industry from another viewpoint, but for some reason the whole story was not indicated in the hearing. It is the opinion of the Nevada PTA that the Assembly Standing Committee on the Environment and Public Resources should be all armed with all the facts to be adequately equipped to reach an equitable decision for the largest segment of the citizens of the State of Nevada.

Submitted by,
Darrel Walton
Chairman, Environmental Education, Nevada PTA

TO : THOSE PERSONS CONCERNED WITH THE PROBLEM OF CONVENIENCE
BEVERAGE CONTAINERS IN AMERICA

FR : RICH CHAMBERS
LOMBARDY LANE
SALEM, OREGON 97302

503 / 362-5815

THE FOLLOWING IS AN UNABRIDGED AND UNEDITED DIRECT QUOTATION
FROM A TALK GIVEN BY :

MR. J. PAUL AUSTIN, CHAIRMAN COCA COLA COMPANY, ATLANTA

BEFORE THE :

GEORGIA BANKERS ASSOCIATION, SEPTEMBER 1970

AS QUOTED VERBATIM IN :

CONSULTING ENGINEER MAGAZINE

"SINCE ONE-WAY BOTTLES CARRY NO DEPOSIT VALUE, THESE ARE
THE GLASS PACKAGES MOST FREQUENTLY THROWN AWAY BY THE
CONSUMER".

"EVEN SO, CANS AND ONE-WAY BOTTLES COMPRISE ONLY ABOUT
30 PERCENT OF OUR COMPANY'S TOTAL SALES OF PACKAGED SOFT
DRINKS. THIS IS IN THIS COUNTRY. ABROAD, OUR PRODUCTS
ARE SOLD ALMOST EXCLUSIVELY IN RETURNABLE BOTTLES".

"AT ANY GIVEN TIME, SOMETHING OVER 90 PERCENT OF THE
RETURNABLE BOTTLES LEAVING OUR BOTTLING PLANTS DO COME
BACK. HOWEVER, THIS FIGURE DOES VARY FROM MARKET TO MARKET.
AND THE RETURN OF OUR BOTTLES DEPENDS HEAVILY UPON CONSUMER
AND RETAILER COOPERATION".

"AND EVEN THOUGH IT IS FAR MORE ECONOMICAL FOR CONSUMERS
TO BUY OUR PRODUCTS IN THESE RETURNABLE PACKAGES, SOME OF
OUR DEALERS - SUPERMARKETS AND CONVENIENCE STORES - FIND
IT MORE DESIRABLE TO HANDLE ONE-WAY BOTTLES AND CANS".

"BUT THERE IS AN EVEN LARGER ISSUE HERE. IT IS THE ISSUE OF
SOLID WASTE DISPOSAL AND THE DEGRADABLE ATTRIBUTES OF
CONTAINERS. GLASS AND CANS ARE NOT DEGRADABLE. SOME CANS
WILL EVENTUALLY OXIDIZE, BUT EVEN THEN THE MATERIALS OF WHICH
THEY ARE MADE DO NOT RETURN TO NATURE AS REALISTICALLY
RE-USABLE RESOURCES".

THINK ABOUT THESE THINGS

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE**

Food and Drug Administration

[21 CFR Part 3]

RETURNABLE SOFT DRINK BOTTLES

**Use of Lithographed Bottles Bearing
Label Declaration for Cyclamates**

In the FEDERAL REGISTER of January 9, 1970 (35 F.R. 363), the Commissioner of Food and Drugs, in response to requests by the soft drink industry, proposed specific conditions for allowing the continued use of certain mislabeled lithographed returnable soft drink bottles for beverages containing combinations of nutritive and nonnutritive sweeteners. These bottles bear statements indicating that the beverages contain cyclamates and bear declarations such as "sugar free," "less than 1 calorie per bottle," and "less than 2 calories per bottle." The proposal contained a provision to limit to 1 year the period for continued use of stocks of such bottles.

Comments received concerning the January 9, 1970, proposal requested a period of 5 years instead of 1 year. In support of this position it was claimed that (1) the average life of returnable bottles is 5 years, (2) it would be impossible for the glass industry to provide all bottlers with complete replacement within 1 year, and (3) some small bottlers would be bankrupted if forced to absorb such a loss in a single year.

After consideration of all comments, the Commissioner promulgated an amendment to 21 CFR 3.72 in the FEDERAL REGISTER of March 4, 1972 (37 FR 4702).



...health, Education,
... welfare, Room 6-88, 5600 Fishers
Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: July 3, 1972.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.
(FR Doc. 72-10888 Filed 7-10-72; 8:49 am)

IN URGING DEFEAT OF ANY
MEASURES DESIGNED TO AUGMENT
THE RETURN TO RETURNABLES,
THE SOFT DRINK INDUSTRY
THROWS OUT FIGURES LIKE :

4 TRIPS PER BOTTLE
AND

8 TRIPS PER BOTTLE.

YET HERE, WHEN THE SHOE
IS VERY MUCH ON THE OTHER
FOOT, THE FIGURE GIVEN IS :

5 YEARS PER BOTTLE.

AS USUAL ... IT DEPENDS
UPON WHOSE OX IS BEING
GORED.

RICH CHAMBERS
LOMBARDY LANE
SALEM, OR 97302

2380 Church Street S.E.
Salem, Oregon 97302
April 15, 1971

Mr. Rich Chambers
Rt. 3 Box 754
Salem, Oregon 97302

Dear Mr. Chambers:

I am happy that you asked about the recycling program the Oregon Environmental Council and high school environmental club students have been running here in Salem. We are especially concerned, after what we have learned from this project, that we not leave the legislators or the public with the impression that current recycling programs are the answer to the "non-returnable" problem. When we began ten weeks ago it was to demonstrate the feasibility and profitability of recycling under current industry programs to service organizations or businesses who might have taken over the project and provided continuing recycling service for Salem. As it turns out, we can prove neither.

In recent weeks we have seen commercials on television that claim industry recycling programs will make "today's bottle tomorrow's bottle". What they fail to mention is what goes on between the time the consumer discards the bottle in one of our collection bins and we sell it back to the glass company. Almost a hundred students and adults who have worked on this project will tell you that the work of collecting, sorting and breaking of the glass and smashing of cans so that they are acceptable to industry, involves long hours of dirty, smelly, dangerous, heavy labor. It is highly unrealistic to assume any group of volunteers could maintain a recycling program that would make a significant impact on the thousands of containers thrown away in Salem each day. Not only is the work demeaning, but there is a minimal return when one considers the expense of storage transportation and numerous other costs. For our well over a thousand volunteer man hours we expect a return of about \$200.

But the most disheartening revelation came this week when the rehabilitation agency that had agreed to take over our project in the hope of turning it into a business learned that there was no hope of profit. Upon investigation into the policies of Owens-Illinois, it turns out that they discourage persons who approach recycling as a business by paying them \$15 per ton rather than the advertised \$20. It became clear to us then that the company was more interested in giving the appearance of encouraging recycling by catering to groups such as ourselves who make little impact on the total problem, but get lots of favorable publicity, than they were in seeing companies who could provide efficient, continuing recycling.

We do not wish to be a party to a propoganda effort against H.B. 1036 and want it known that we strongly urge passage of this more logical approach to recycling.

Sincerely,

Irene Mylan
(Mrs.) Irene Mylan
Recycling Chairman, Salem Chapter
Oregon Environmental Council

LITTER BITS OF NEWS & FACTS

Number 9

REQUIRED DEPOSITS WOULD CREATE MORE JOBS

More jobs would be gained than lost if deposits were required on all soft drink and beer containers.

This is the main thrust of a study just completed by economist Hugh Folk for the Illinois Institute for Environmental Quality.

According to Folk, a 5-cent deposit on all beverage cans and bottles in Illinois would bring about a substantial shift toward returnable bottles.

Some layoffs would occur in the metal can, steel, glass container and other industries. But these job losses would be more than offset by higher employment in retail trade and elsewhere, Folk concluded.

The displacement of workers and redistribution of jobs would occur gradually and are a normal part of economic development.

If the switch to returnable bottles were complete, there would be a net gain of 6 500 jobs in the State of Illinois alone, according to the report.

Folk estimated that a total shift would eliminate 5903 jobs, mostly among can makers and their suppliers. But he said employment by retailers, soft-drink bottlers, brewers and beer distributors would go up by 7937 jobs.

This would produce a net increase of 1494 jobs. Another 5000 jobs would be added because \$71 million now spent on beverage containers would be diverted to other consumer spending.

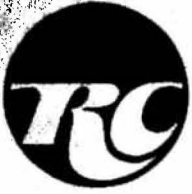
Source: Chicago Daily News--February 2, 1972

Original document is of poor quality



CRUSADE for a CLEANER ENVIRONMENT

1900 L Street N.W. - Suite 301 - Washington D.C. 20036 - Telephone 296-2608



Royal Crown - Dr Pepper Bottling Co.

Royal Crown 512 854-2341

722 SO. PADRE ISLAND DR.
CORPUS CHRISTI, TEXAS 78416

Dr Pepper 512 - 854-1242

Mr. Rich Chambers
Lombardi Lane
Salem, Oregon 97302

July 20, 1972

Dear Mr. Chambers:

I thought a recent survey conducted by me people would be of interest to you in reference to your upcoming trial on the deposit bill for the state of Oregon.

We have heard from the supermarket industry for some time that one of the considerations that makes them opposed to returnables is the sanitation problem of the used returnable bottles being returned to their grocery stores. Just as a matter of personal curiosity, we visually inspected 24,000 bottles as they were being fed to our bottle washer to see approximately how many of these returnable bottles in six-pack cartons had been rinsed out or were empty of any visible signs of product residue. In our little test, we find that approximately 75% of the bottles coming in from the territory in six-pack carton carriers were evidently rinsed to some extent by the parties consuming the merchandise. The other 25% obviously had not been rinsed. Since the six-pack carton carriers are primarily a take-home package in supermarkets, independents, convenience stores, etc., I must assume that a majority of the housewives are concerned enough about the possibility of bugs or insects in their own homes to take the time to rinse these bottles out before they are returned. As I said before, this is an assumption on my part. I can see no other possibility for the bottles to be returned in that condition. I don't think that the sanitation argument is really a just argument. Although I feel sure that the majority of supermarkets do have an active pest extermination program just as we do at our bottling plant.

To sum it up, I don't feel that this is a real argument against the returnable bottle. We've been using returnable bottles for approximately 75 years in this industry, and I don't think that this has been a problem in the past.

Let me wish you luck in your action, because you do share my interest in returning to the true recyclable package, the returnable bottle.

Sincerely,

ROYAL CROWN-DR PEPPER BOTTLING CO.

N. E. Norton
President

NEN/ks

Despite Industry Campaigns, Recycling Only Scratching Surface

By ROBERT A. WRIGHT
(C) New York Times News Service

LOS ANGELES — The recycling zeal has yet to make much headway in reducing waste and the prospects for improvement are not good.

Meanwhile, massive public relations and advertising campaigns by industry hail progress in reducing litter through collections and conservation of resources through the recycling of glass, steel, aluminum, plastic and paper waste. But they omit some pertinent facts.



MUDDY THE WATERS TO DEFEAT ANY EFFECTIVE
BEVERAGE CONTAINER CONTROL LEGISLATION

A press release by the Glass Container Manufacturers Institute Inc., announces that used bottles and jars redeemed from the public are being recycled at the rate of 912 million a year. While it notes that the program is "only a first step toward our long-range goal," it fails to state that the American industry produces about 36 billion glass containers a year. Thus, recycled bottles and jars account for only 2.6 per cent of the total number of glass containers produced in the United States annually.

GLASS BOTTLES : 2.6 PERCENT



Similarly, the Aluminum Association reported a four-fold increase in the collection of aluminum cans for recycling last year. The increase — to 770 million cans — amounts to about 35 million pounds of metal and contrasts with aluminum shipments for container production last year of 929 million pounds, or 3.7 per cent of the total used by American container manufacturers.

ALUMINUM CANS :
2.7 PERCENT



STEEL CANS :
2.3 PERCENT



The American Iron and Steel Institute announced that it retrieved about 1.5 billion cans for recycling last year through magnetic separation from municipal dumps, but the Institute failed to note that some 65 billion cans are manufactured each year. Thus, the 1.5 billion cans recycled in 1971 amounts to 2.3 per cent of the total manufactured.

a chapter from
mineral facts and problems, 1970 edition



UNITED STATES DEPARTMENT OF THE INTERIOR

Secondary Sources and Recovery

The recovery of secondary aluminum averages slightly over 11 percent of the total aluminum supply shown in figure 1. The scrap from which secondary aluminum is recovered is designated as either "new scrap" or "old scrap." New scrap is generated from (1) fabricating operations, such as alloying, stamping, forging, extruding, machining, and casting and (2) rejected semi-fabricated and manufactured items. Old scrap is aluminum that has been used in end products and is collected for metal recovery after the products are worn out or discarded. New scrap consumption and metal recovery data are based on quantities treated outside of the generating plant and do not include "run-around" scrap consumed by the generating company.

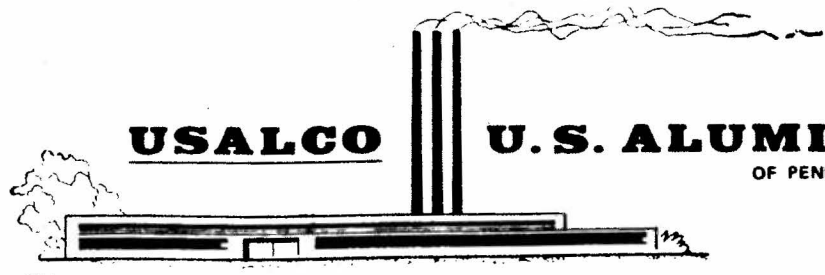
New scrap is the source of nearly 81 percent of the secondary aluminum recovered. The relatively small recovery from old scrap reflects the fact that the aluminum industry is a growing industry.

THE RECYCLING BY REMELTING
OF ALUMINUM BEVERAGE CONTAINERS IS CERTAINLY GETTING A
GREAT DEAL OF "COVERAGE" AT THE HANDS OF THE ALUMINUM
PEOPLE AND THE BREWERS THEY HAVE CONVERTED TO ALUMINUM.

AS CAN BE SEEN FROM THE ABOVE, HOWEVER, "OLD" ALUMINUM
SCRAP, IN 1970, COMPRISED LESS THAN 2.1%, (TWO AND ONE
TENTH PERCENT), OF THE ALUMINUM SUPPLY IN THE UNITED
STATES. (1% OF 11%).

ALUMINUM CAN RECYCLING, LIKE GLASS BOTTLE RECYCLING, IS
A GIMMICK AFTER ALL. THERE ARE ABOUT 47,000 FAIRLY DRY
EMPTY TWELVE OUNCE ALUMINUM CANS TO ONE OF THOSE FAMOUS
\$200 TONS.

RICH CHAMBERS
LOMBARDY LANE
SALEM, OR 97302



USALCO U.S. ALUMINUM CORP.
OF PENNSYLVANIA

P.O. BOX 8
MARIETTA, PA. 17547
Code 717 426-1981

MR. RICH CHAMBERS
LOMBARDY LANE
SALEM, OREGON 97302

JUNE 21, 1972

DEAR MR. CHAMBERS:

I RECEIVED YOUR INFORMATION ON ALUMINUM CAN SCRAP WITH INTEREST, AND I CAN SEE THAT YOU ARE WELL INFORMED ON THE SUBJECT. IN ANSWER TO YOUR QUESTION AS TO THE REASON THAT ALUMINUM CAN SCRAP IS AN UNDESIRABLE GENERAL PURPOSE ALLOY CONSTITUENT:

(1) THE MATERIAL IS VERY THIN AND PAINTED, OR COATED WITH SOME LITHOGRAPHIC ADVERTISING WHICH CAUSES RAPID BURNING OF THE PAINT WHEN MELTED, AND IN TURN IS RESPONSIBLE FOR A LARGE METAL LOSS DUE TO OXIDATION.

(2) IT IS A HIGH MAGNESIUM ALLOY ALUMINUM MATERIAL, WHICH WHEN USED IN MAKING GENERAL-PURPOSE ALLOYS, REQUIRES THE REMOVAL OF THE MAGNESIUM CONTENT. THIS IS AN EXPENSIVE PROCESS, AND WORST OF ALL IT IS THE CAUSE OF THE GREATEST SOURCE OF POLLUTION IN THE SMELTING INDUSTRY. THE ONLY REASONABLE REUSE OF ALUMINUM CANS IS IN THE PRODUCTION OF ALUMINUM STRIP FOR MAKING THE IDENTICAL ALLOY. WHEN USED IN THIS RECYCLING PROCESS THE HIGHEST METAL VALUE IS RETAINED AT THE LOWEST COST. THE ONLY PEOPLE THAT CAN ECONOMICALLY USE THIS TYPE OF MATERIAL THEN, ARE THE ROLLING MILLS WHO PRODUCE THE CAN SCRAP FOR THE CANNING AND BREWING INDUSTRY. IN THE SMELTING INDUSTRY THIS MATERIAL WOULD BE WORTH ABOUT .0600 PER POUND DRY WEIGHT.

FRANKLY, I FEEL THE WHOLE CONCEPT OF USING A VALUABLE MATERIAL LIKE ALUMINUM IN THE CANNING INDUSTRY, WHEN OTHER CHEAPER MATERIALS ARE ABUNDANTLY AVAILABLE, IS A GIGANTIC WASTE OF OUR LIMITED METAL RESOURCES.

CERTAINLY THE GLASS AND STEEL INDUSTRY WOULD SUPPLY THE CANNING AND BREWING INDUSTRY WITH UNLIMITED, INEXPENSIVE CONTAINERS THAT WOULD HAVE A DEPOSIT REQUIREMENT ELIMINATING THE REFUSE SO CHARACTERISTIC NOW, OF OUR SOCIETY.

I HOPE THAT THIS MIGHT BE OF SOME HELP. BEST WISHES.

SINCERELY,
U. S. ALUMINUM CORPORATION

MILTON G. ANDUR
VICE PRESIDENT

MGA:GM

PRODUCERS OF QUALITY ALUMINUM ALLOY INGOTS

Exhibit 7

President of: Coca Cola Bottling Co. in Eugene, Oregon
Emerald Canning Company in Oregon

1. In 1971, I testified that Oregon Bottle Bill would put me out of business.
2. Environmentalists convinced Legislature that the bill would not effect the sale of cans at all.
3. Sept. 1, 1972, Judge Sloper rendered his verdict and within 24 hours, orders for 240,000 cases of beverages were cancelled.
4. Oct. 1, 1972, I stated that I had no orders for cans within state except from Coca Cola Bottling Co. of Eugene of which I am president.
5. Oct. 5, environmentalists it was a gimmick to discredit bottle bill.
6. Oct. 10, I couldn't pay our bills and creditors began to come down on us. First National Bank of Oregon cancelled our receivable financing line and called for immediate payment of term loan which had about five years to run. At no time had we been delinquent or late making note payment.
7. Dec. 31, we determined that we could not recapture any business and losses were very heavy and so Jan. 1, 1973, we shut down operation.
8. If law is repealed in Oregon, it is too late for Emerald Canning Company and myself.
9. Results: a half a million dollar investment is finished. 110 hard working citizens are out of work. Our other business, which has been operated by the same family for two generations is in very serious trouble.
10. I fell that if the bill had completely solved the litter problem, it might have been reasonable. As it is, the Highway Commission Survey shows that beer and beverage litter is up. Cans are not selling and broken glass is beginning to proliferate our roadsides, campsights, and recreation areas. In just a few years, our children will not be able to play in our lakes, wade in our streams, or run barefoot in our parks because of all the broken glass, that those people who persist in littering, throw away, because they could no longer use cans which at least won't break.
11. Retailers don't want to handle returnable bottles, and so they are stocking some non-carbonated beverages in 12 oz ring pull cans, a lot of non-carbonated drinks which come in plastic bottles, packed in six pack carriers, and produced by dairies, both of these packages are legal in Oregon.

Because we cannot compete in the market place with convenient packages, we have been forced to raise the prices of returnable bottles.

Because the returnable bottles do not come back like they used to, we had to increase the deposit of the bottle. This did not raise the trips, but now we break even if they don't come back.

I can only suggest that any decision should be postponed for two more years. By that time all of the facts will be known about the Oregon situation. Two years is a very short period in the span of time and caution now could prevent irreparable damage later.

If bill is passed, all bottlers will be required to make large investments in trucks, machinery and glass to meet new demand. Then, if bill proves to create more serious problems, then it solves, I am certain it will; bill will be repealed and bottlers will not be able to recover their investment.

END.

L. W. PERALDO COMPANY INC.

Importers — Wholesalers

BEER • LIQUOR • WINES • BEVERAGES

405 WEST THIRD STREET • WINNEMUCCA, NEVADA 89445

Exhibit B

Mr. Chairman, Members of the Environmental Committee, Ladies and Gentlemen:

My name is Louis Peraldo and I am here today to represent the L. W. Peraldo Company and the Winneva Distributing Company of Winnemucca, Nevada, of which I am owner and manager. The remote areas that we cover are Winnemucca, Lovelock, Battle Mountain, McDermitt, Austin, Paradise Valley, Mill City, Denio and Gerlach.

To substantiate Mr. Di Grazia's remarks on Wednesday, these areas and routes are remote and are from 150 miles to a maximum of 400 miles round trip; therefore, the cost of picking up bottles is tremendous and it would allow us very little time for anything else. We are already paying a great deal of overtime in the summer because of these long routes and this situation would certainly increase the cost. Bottles, as you realize, are of considerable more weight than cans - 21 pounds versus 32 pounds or more. Consequently, from an economic standpoint, it would put a tremendous financial burden on all small, independent wholesalers. Further, most of us have had to result to our own long haul trucks to be competitive because we have no commodity rates. Instead, when hauling from the brewery or other points we would only be able to haul roughly half the number of bottles as we would cans.

To summarize the above this additional weight plus the picking up of cans and bottles would literally add a great deal of burdens and costs to all of the small and independent wholesalers and retailers in our northeastern part of the state.

In the past ten days we have in our market made a complete and thorough survey of our outlying retail areas and found that 3 out of 5 retailers would find it necessary to eliminate the selling of beverages. Briefly, it wouldn't be worth their time to handle this. We fully realize, too, that if they didn't sell, someone else would; but we question whether anyone would stay in the business for long under these circumstances.

In contacting these various businesses, most of them felt this was destroying the freedom of the retailer in the market, which they so rightfully and proudly have at the present time. In other words it would be another regulation imposed on the wholesaler, retailer and, most important, the consumer who purchases our product.

Importer's Basic
Permit No. SF-I-491

Wholesaler's Basic
Permit No. SF-P-2101

L. W. PERALDO COMPANY INC.

Importers — Wholesalers

BEER • LIQUOR • WINES • BEVERAGES
405 WEST THIRD STREET • WINNEMUCCA, NEVADA 89445

— 2 —

I am also told from various sources that cans in Oregon have become almost extinct. There are no select bottles such as Michelob or imported beers coming into the market, which would be a great loss in revenue to our state if this regulation was imposed on us. I would like at this time to read you a letter from a large wholesaler in Oregon.

In summarizing the above for our area, I believe that most of us feel that the committee is taking the wrong approach. We already have regulations that are not being enforced such as the litter law. Perhaps the enforcement of these existing laws would help solve the problem. There would definitely be a health problem which would have to be investigated.

We also feel that we, at present, are the most legitimate, regulated and respected business in the state and country today. If more regulations continue to be imposed upon us, such as this one, I am sure a great deal of state revenue will be literally and virtually lost to other surrounding states, who don't have such laws. Further education of the public is, I feel, the immediate answer -- not regulation!

STATEMENT ON AB131
February 14, 1973
Tina Nappe

Recycling of Beverage Containers

My name is Tina Nappe. Although a member of several organizations concerned about the lack of recycling and the national energy shortage, I speak today as a Nevadan. And as a Nevadan, I would like to thank the sponsors of this bill for having the courage to introduce it.

I am in favor of this bill for several reasons:

1. It is the clearest statement Nevadans can make about their concern over litter, waste, and the energy crisis. In fact it is the only kind of statement that the beverage industry will listen to. I am amused by the beverage industry's bandaid treatment of our waste problem when it urges us not to litter. Something that is unused is litter whether it goes to the garbage dump or lies along the highway.

2. The burden of recycling should be placed upon industry. The beverage industry is nationwide even international. Worked into industry's cost analysis should be the cost of resources including materials and energy consumption (high in the case of aluminum) to the end of the product... its recycling or dissolution. At the present industry is only concerned with a products manufacture and sale.

3. The problem of community recycling. In the past year there was a private effort to set up a recycling center in Reno. This efforts seems to have fallen flat. This last recycling center is not the first nor the last to have been attempted. As a housewife I can testify to the burden this indecisiveness places upon us wasteful consumers. One becomes afraid to save bottles and cans for fear the center will go out of business before you are relieved of your trash which then must somehow be fitted into the usual garbage haul.

I disagree with the editorial this past Monday in the Nevada State Journal because the authority is talking about some distant day far in the future insofar as Nevada is concerned. We have the problem now. He is also assuming the marketability of these reclaimed products. This is a market that only industry can provide. Local communities can only protest the disposal burden placed upon them by passage of this bill. There have been many articles on the problem of communities or private business attempting to recycle and finding insufficient markets.

4. Costs to industry. I don't recall being asked whether I preferred disposal containers or not or how I felt about fliptops. I am sure millions were spent researching some of these products, getting the machinery to mass produce and in promoting their appeal to us. I have a lot of faith in industry's ability to do whatever is required. Whatever it costs them will be more coming to Nevada. The disposal costs are already belong to all of us.

5. Beverage containers as litter. As a tourist state Nevada has far more than her own citizenry littering. Just last week I heard that 50% of the off-road vehicle use in Clark County was by out-of-staters. In a hot dry state like Nevada we know they don't go thirsty. Why shouldn't the Bureau of Land Management or the Department of Highways get a little return on their litter pick? Or why shouldn't you and I and the Boy Scouts spare them the effort of picking up altogether? I recently had a conversation with a...



TOM McCALL
GOVERNOR

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

February 12, 1973

Exhibit 10

The Honorable D. Roger Bremner
Chairman, Environmental &
Public Resources
Nevada State Assembly
State Capitol
Carson City, Nevada 89701

Dear Representative Bremner:

I am enclosing a copy of our "bottle bill," along with copies of several recent letters written concerning its enactment and a news release made by Governor McCall this morning.

Sales of beverages involved are up, as verified by the OLCC reports, and as testified to by industry itself. Prices have not reflected, at least as yet, the increased burden on the retailer because of the act.

I hope this information is helpful to you.

Best wishes.

Cordially,

A handwritten signature in cursive script, appearing to read "Kessler R. Cannon".

Kessler R. Cannon
Assistant to the Governor
Natural Resources

KRC:sn
Encs.

120

Enrolled
House Bill 1036

Sponsored by Representatives HANNEMAN, SAM JOHNSON,
MACPHERSON, MEEKER, Senator McKAY, Representative
INGALLS, Senator GROENER

BEVERAGE CONTAINER MINIMUM DEPOSIT LEGISLATION

CHAPTER.....

AN ACT

Relating to beverage containers; and providing penalties.

Be It Enacted by the People of the State of Oregon:

SECTION 1. As used in this Act, unless the context requires otherwise:

(1) "Beverage" means beer or other malt beverages and mineral waters, soda water and similar carbonated soft drinks in liquid form and intended for human consumption.

(2) "Beverage container" means the individual, separate, sealed glass, metal or plastic bottle, can, jar or carton containing a beverage.

(3) "Commission" means the Oregon Liquor Control Commission.

(4) "Consumer" means every person who purchases a beverage in a beverage container for use or consumption.

(5) "Dealer" means every person in this state who engages in the sale of beverages in beverage containers to a consumer, or means a redemption center certified under section 8 of this Act.

(6) "Distributor" means every person who engages in the sale of beverages in beverage containers to a dealer in this state including any manufacturer who engages in such sales.

(7) "In this state" means within the exterior limits of the State of Oregon and includes all territory within these limits owned by or ceded to the United States of America.

(8) "Manufacturer" means every person bottling, canning or otherwise filling beverage containers for sale to distributors or dealers.

(9) "Place of business of a dealer" means the location at which a dealer sells or offers for sale beverages in beverage containers to consumers.

(10) "Use or consumption" includes the exercise of any right or power over a beverage incident to the ownership thereof, other than the sale or the keeping or retention of a beverage for the purposes of sale.

SECTION 2. (1) Except as provided in subsection (2) of this section, every beverage container sold or offered for sale in this state shall have a refund value of not less than five cents.

(2) Every beverage container certified as provided in section 6 of this Act, sold or offered for sale in this state, shall have a refund value of not less than two cents.

SECTION 3. Except as provided in section 4 of this Act:

(1) A dealer shall not refuse to accept from a consumer any empty beverage containers of the kind, size and brand sold by the dealer, or refuse to pay to the consumer the refund value of a beverage container as established by section 2 of this Act.

(2) A distributor shall not refuse to accept from a dealer any empty beverage containers of the kind, size and brand sold by the distributor, or refuse to pay the dealer the refund value of a beverage container as established by section 2 of this Act.

SECTION 4. (1) A dealer may refuse to accept from a consumer, and a distributor may refuse to accept from a dealer any empty beverage container which does not state thereon a refund value as established by section 2 of this Act.

(2) A dealer may refuse to accept and to pay the refund value of empty beverage containers if the place of business of the dealer and the kind and brand of empty beverage containers are included in an order of the commission approving a redemption center under section 8 of this Act.

SECTION 5. (1) Every beverage container sold or offered for sale in this state by a dealer shall clearly indicate by embossing or by a stamp, or by a label or other method securely affixed to the beverage container, the refund value of the container.

(2) Subsection (1) of this section shall not apply to glass beverage containers designed for beverages having a brand name permanently marked thereon which, on the operative date of this Act had a refund value of not less than five cents.

(3) No person shall sell or offer for sale at retail in this state any metal beverage container so designed and constructed that a part of the container is detachable in opening the container without the aid of a can opener.

SECTION 6. (1) To promote the use in this state of reusable beverage containers of uniform design, and to facilitate the return of containers to manufacturers for reuse as a beverage container, the commission shall certify beverage containers which satisfy the requirements of this section.

(2) A beverage container shall be certified if:

(a) It is reusable as a beverage container by more than one manufacturer in the ordinary course of business; and

(b) More than one manufacturer will in the ordinary course of business accept the beverage container for reuse as a beverage container and pay the refund value of the container.

(3) A beverage container shall not be certified under this section if by reason of its shape or design, or by reason of words or symbols permanently inscribed thereon, whether by engraving, embossing, painting or other permanent method, it is reusable as a beverage container in the ordinary course of business only by a manufacturer of a beverage sold under a specific brand name.

SECTION 7. (1) Unless an application for certification under section 6 of this Act is denied by the commission within 60 days after the filing of the application, the beverage container shall be deemed certified.

(2) The commission may review at any time certification of a beverage container. If after such review, with written notice and hearing afforded to the person who filed the application for certification under section 6 of this Act, the commission determines the container is no longer qualified for certification, it shall withdraw certification.

(3) Withdrawal of certification shall be effective not less than 30 days after written notice to the person who filed the application for certification under section 6 of this Act and to the manufacturers referred to in subsection (2) of section 6 of this Act.

SECTION 8. (1) To facilitate the return of empty beverage containers and to serve dealers of beverages, any person may establish a redemption center, subject to the approval of the Oregon Liquor Control

Commission, at which consumers may return empty beverage containers and receive payment of the refund value of such beverage containers.

(2) Application for approval of a redemption center shall be filed with the commission. The application shall state the name and address of the person responsible for the establishment and operation of the redemption center, the kind and brand names of the beverage containers which will be accepted at the redemption center and the names and addresses of the dealers to be served by the redemption center. The application shall include such additional information as the commission may require.

(3) The commission shall approve a redemption center if it finds the redemption center will provide a convenient service to consumers for the return of empty beverage containers. The order of the commission approving a redemption center shall state the dealers to be served by the redemption center and the kind and brand names of empty beverage containers which the redemption center must accept. The order may contain such other provisions to insure the redemption center will provide a convenient service to the public as the commission may determine.

(4) The commission may review at any time approval of a redemption center. After written notice to the person responsible for the establishment and operation of the redemption center, and to the dealers served by the redemption center, the commission may, after hearing, withdraw approval of a redemption center if the commission finds there has not been compliance with its order approving the redemption center, or if the redemption center no longer provides a convenient service to the public.

SECTION 9. The procedures for certification or withdrawal provided for in sections 6 to 8 of this Act shall be in accordance with ORS chapter 183.

SECTION 10. (1) Any person who violates section 2, 3 or 5 of this Act shall be punished, upon conviction, as for a misdemeanor.

(2) In addition to the penalty prescribed by subsection (1) of this section, the commission or the State Department of Agriculture may revoke or suspend the license of any person who wilfully violates section 2, 3 or 5 of this Act, who is required by ORS chapter 471 or 635, respectively, to have a license.

SECTION 11. (1) During the period commencing October 1, 1972, and ending when it submits the report provided for in subsection (2) of this section, the Legislative Fiscal Committee shall cause to be conducted a study of the operation of sections 1 to 10 of this Act that shall include, but not be limited to, an analysis of:

(a) Its economic impact on persons licensed under ORS chapter 635 who engage in the nonalcoholic beverage manufacturing business, on persons engaged in the business of manufacturing beer and other malt beverages and on persons engaged in the business of manufacturing beverage containers in complying with the provisions of sections 1 to 10 of this Act.

(b) The problems, if any, incurred in the distribution, sale and return of beverage containers subject to the provisions of sections 1 to 10 of this Act.

(c) The effectiveness of the provisions of sections 1 to 10 of this Act in the reduction of the incidence of the littering by beverage containers in this state.

(d) The costs incurred in the enforcement of the provisions of sections 1 to 10 of this Act.

(2) Prior to January 1, 1975, the Legislative Fiscal Committee shall prepare and submit to the Fifty-eighth Legislative Assembly of the State of Oregon a report of its findings made pursuant to subsection (1) of this section and its recommendations with respect to any legislative proposals considered by it to be necessary as the result of the study conducted as required by subsection (1) of this section.

SECTION 12. This Act shall not become operative until October 1, 1972, and shall apply to all beverage containers sold or offered for sale after October 1, 1972, except that applications under sections 6 and 8 of this Act may be made prior to October 1, 1972, the certification referred to in section 6 of this Act and the approval referred to under section 8 of this Act may be delivered prior to October 1, 1972, and the commission shall adopt rules and regulations under sections 6 and 8 of this Act prior to October 1, 1972.

THIS MEASURE WAS PASSED :

BY OREGON STATE HOUSE OF REPRESENTATIVES

VOTE 54 YES, 6 NO

APRIL, 1971

BY OREGON STATE SENATE

VOTE 22 YES, 8 NO

MAY, 1971

SIGNED BY GOVERNOR TOM MC CALL :

JULY, 1971

FOR BACKGROUND INFORMATION ABOUT THE LOBBYING
EFFORT REQUIRED AND USED :

MR. DON WAGGONER
2715 SW GLEN EAGLES ROAD
LAKE OSWEGO, OREGON 97034

FOR INFORMATION ABOUT THE LEGAL BATTLES EXPECTED :

ATTORNEY GENERAL LEE JOHNSON
O.S. DEPARTMENT OF JUSTICE

January 24, 1973

The Honorable Dale Bumpers
Governor of Arkansas
State Capitol
Little Rock, Arkansas 72201

Dear Governor Bumpers:

Governor McCall has asked that I write to you concerning Oregon's "bottle bill," and I am pleased to do so. A copy of the bill is attached.

Governor McCall has supported legislation of this type for many years. None was introduced in the 1967 Session, but in 1969 the first proposal emerged, had his full and energetic support, but failed in the House. Much of the discussion hinged on industry's insistence that the problem of litter could be solved in other manners, principally by educational programs. Such was not the case, and the industry moved as rapidly as possible to complete throw-away containers. The extent of the problem is reflected in the memo from our Attorney General's office, which is part of the stipulations in the Oregon court case. A legislative interim committee took up the issue, travelled the state, analyzed the problem, and proposed the legislation. Industry again said they would solve the problem, but the Legislature was not impressed. In the face of an unusual joining of labor and business in vigorous opposition, the House approved the measure 54 to 6, and the Senate by 22 to 8. I'm sending a copy of Governor McCall's letter to Governor Rampton, identical to one sent Governor Anderson, which reflects on implementation of the act.

I hope the other material is of value. It is significant that sales have not suffered, and in fact, are up. Prices have not been influenced, and in fact, are better in Oregon with the law than in neighboring Capital cities of Olympia and Sacramento. A burden has been placed on the retailer, but it is my opinion that the normal function of the market place will compensate for this. If there is a cost that cannot be absorbed, it will move on to the consumer, just as does the cost of doing business. Some consideration is being asked for the state to set up redemption centers,

The Honorable Dale Bumpers
January 24, 1973
Page 2

which are authorized by the law. I missed on that aspect, and fully expected merchants to join in establishing the centers to relieve having to take back, handle and refund, but not one has been set up thus far. We've had only one conviction of violation, and this was a surplus store which sold pull-top cans. Only two actions have been of concern and have been stopped. Some merchants attempted to take the containers back only at certain times, which is not permissible. Others wanted to make refunds only in merchandise. This also is not permitted.

You will note on the sales report the impact on cans. Cans are not reusable, per se, and the economics so far has forced the products into glass, which we find has a life use of at least twelve round trips, and may go up.

The highway litter survey of November, 1971, was duplicated, but with complete control, in September of 1972, the full month prior to implementation. Crews picked up all litter on 25 random mile stretches of western Oregon highway. Every conceivable combination was tallied, both by piece and by volume in order that we might have a reliable base from which to evaluate the effect of the new law. The most significant part of that survey to me was the finding that deposit bottles represented 1% of the 100% by piece. To quote from the report: "If this trend is continued with the initiation of the "bottle bill" on October 1, there should be a marked decrease in the percentage of litter in the form of cans and bottles deposited on the State Highway System."

Citizens have been ready to write in with their comments on the bill and litter. A copy of a recent letter is attached.

If I can be of further help, please let me know. I'd be glad to discuss this in detail, and to respond to questions you may have.

Best wishes.

Cordially,

Kessler R. Cannon
Assistant to the Governor
Natural Resources

KRC:sn



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

February 8, 1973

TOM MCCALL
GOVERNOR

Mr. Charles W. Allen, Chairman
Hillsboro Conservation Commission
RFD #2, East Washington Road
Hillsboro, New Hampshire 03244

Dear Mr. Allen:

I am sending a copy of my letter to Governor Anderson of Minnesota, and a copy of a letter from a staff member to Governor Bumpers of Arkansas.

Since writing that correspondence, reports have been made available on the impact of the bottle bill on litter. Four reports are now in, dated October and November of 1972, and January and February of 1973. No report was made in December because of heavy snows which swept the state generally.

The report of litter shows a significant downturn in the 25 mile-long segments of highway chosen at random in western Oregon. All litter is down. The composition of litter has changed significantly, of course, since cans are rapidly phasing out in the turn to reusable glass containers. With cans gone, the percentage of litter left for glass obviously is up. All percentages are up, since we're dividing 100 percent by fewer categories. I feel it is almost malicious misrepresentation for the beverage and container companies to show our percentages up, but failing to show all litter significantly reduced. ✓

There is an additional burden on our retailers, but thus far as a group no attempt has been made to pass such additional costs on to the consumer, and it seems to me these costs are simply costs of doing business. They must be considered with the light bill, rent, fuel, and many additional costs the state has imposed in all areas of sanitation, which stores at one time did not face, but do now.

Mr. Charles W. Allen
February 8, 1973
Page 2

There has been no affect on sales and, in fact, sales are up both in beer and soft drinks. We see no change in consumption patterns. Prices, by the way, for beer are down compared to Sacramento, California and Olympia, Washington, the other two west coast state capitals. I am not aware that any bottler has gone out of business because of the law. One bottler who also ran an extensive can business for soft drinks has shut down the can side of his operation, but he's still very much in business on the bottle side. Oregon has but one brewery, Blitz-Weinhard of Portland, and that business is expanding with remarkable speed.

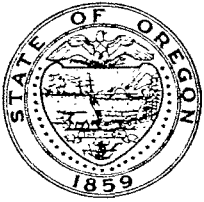
I'm confident the people of the state are wholeheartedly behind the law. There is not a day that passes but what my office receives a letter commending the bill, and noticing its salutary effects.

Best wishes.

Sincerely,

Governor

TM:cs
Encs.



December 20, 1972

TOM MCCALL
GOVERNOR

The Honorable Wendell R. Anderson
Governor, State of Minnesota
State Capitol
St. Paul, Minnesota 55101

Dear Wendell:

One of the most significant pieces of environmental legislation to be enacted in Oregon during my administration is our "bottle bill," which prohibits the flip-top can, and requires a refund value on all beer and soft drink containers. It's landmark action that has attracted attention not only from every state in our nation, but a score of foreign countries. The federal Environmental Protection Agency is proposing a sizable grant to Oregon for a full evaluation of the impact of the law with an eye to recommending it nationwide.

The legislation was designed to tackle the problem of mounting litter alongside our roadways, in our parks and on our beaches, stimulated by the throw-away container, as well as embarking us on a path away from use and discard to reuse, recycle and reclaim.

The law provides for a study of the economic impact upon industry and business and the effectiveness in reducing litter. While no data is available yet upon which to base definitive conclusions, observation by news people, state highway crews, and many citizens confirms that the law is working, and that it is reducing litter. There is some concern by retailers that the refund provision, which in reality means return, is placing an unfair burden upon them. The law permits establishment of redemption centers, but not one has been set up. There was concern prior to the effective date of the law that it would have an effect upon purchases of beer and soft drinks, but this has not been the case, and in fact, sales are up. The administering agencies report that the law was implemented with remarkable smoothness, and there is widespread public support behind this initial approach to a critical environmental problem. The vote by which the act passed indicates the

COPY

The Honorable Wendell R. Anderson
December 20, 1972
Page 2

strong public sentiment that exists, particularly in the face of opposition from both labor and industry to the legislation. The House vote was 54 to 6, and the Senate vote was 22 to 8. It was one of the most heavily lobbied pieces of legislation that I've seen in my many years of close association with Oregon politics.

I've been advised that citizens in your state are mounting a strong attempt to get this type of container control in Minnesota. If I can be of help, please let me know.

Best wishes.

Sincerely,

Governor

TM:cs

Debate Resumes Over Bottle Bill

PORTLAND (UPI) — An announcement Monday by the Carbonated Beverage Can Manufacturers Association that surveys conducted since Oregon's "Bottle Bill" went into effect show no decrease in bottle and can litter caused a bit of a stir.

The announcement said the surveys showed no decline in

littering with beverage containers.

That prompted Kessler Cannon, Gov. Tom McCall's assistant for natural resources, to say he couldn't figure out how anyone could come to such a conclusion. He questioned sources for the report.

A spokesman for the public relations agency handling the release said the announcement did not claim litter was up in Oregon. The spokesman, using State Highway Division maintenance section summary reports on litter composition during October and November, 1972, and January this year, said "that even though litter was down the ratio of that litter for beverage-related bottles and cans was up."

On that basis, the association said, "A study by the state of Oregon of last September's highway litter showed beverage containers accounted for 14.4 per cent of all litter by piece count and 17.3 per cent by volume. During the three months that the bottle bill has been in effect the beverage container share of all litter has increased to 18.2 per cent by piece count and 24.5 per cent by volume, the Oregon study shows."

Ocean Erosion Studied

SALEM (UPI) — Gov. Tom McCall Monday directed a federal-state scientific team to try to find ways to deal with ocean erosion that threatens to break through Salishan spit and wash tons of sand into the Siletz estuary.

Col. Paul Friem, district engineer for the Army Corps of Engineers, agreed to bring out corps experts from the east coast to work with ocean scientists from Oregon State University.

Erosion caused one house to fall into the surf last month and high tides combined with additional winter storms are threatening to break through the narrow spit.

Wilbur Ernyik, chairman of the Oregon Coastal Conservation and Development Commission, told McCall tides of around 9.4 feet are predicted for the middle of this month. Combined with a windstorm, the tides could reach 10 to 12 feet, he said.

The tides were 8.4 feet when the first house was undercut by the surf.

at peak

ephot)

ak

hat the trip Johnson was arduous. They mes.

he said, Miss him she was at he should if her down the use camp.

the tent I was fell asleep he said, "I omentarily. She in." A search was fruitless.

ve been impossi- survive in the cold without said Carmie if the expedition.

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