

A quorum being present, Chairman Jeffrey called the meeting to order at 3:10 p.m. on April 28, 1981 in Room 222 of the Legislative Building.

MEMBERS PRESENT:

Assemblyman Jack Jeffrey, Chairman  
Assemblyman Kenneth Redelsperger, Vice Chairman  
Assemblyman John DuBois  
Assemblyman Edward Kovacs  
Assemblyman Donald Mello  
Assemblyman John Polish  
Assemblyman Dean Rhoads  
Assemblyman James Schofield

MEMBERS ABSENT:

Assemblyman Joseph Dini

GUESTS PRESENT:

Catherine N. Davis, Mineral County  
Jo Anne M. Buehler, U.S. Ecology  
Peggy Twedt, League of Women Voters  
John Meder, State Parks  
Assemblyman Robert Barengo  
Assemblyman Nick Horn  
Assemblyman John Vergiels

AB 503, Establishes fee per cubic foot for radioactive waste disposed of in areas owned by the state.

Assemblymen Horn, Barengo, Vergiels, sponsors of the bill spoke in support of the bill. Mr. Horn began by stating that they feel it is the responsibility of the legislature to protect the citizens of the state against the possible effects and dangers of radioactive waste. This bill addresses those concerns by requiring that State Department of Health must by regulation establish license fees, procedures, penalties and additional license fees for use of an area to store the radioactive materials. For the purpose of paying the costs to the state for inspecting and monitoring they are suggested that the fee be raised to \$25.00/square ft. Currently the fee is 25¢ a cubic foot.

Mr. Horn stated that they felt this would encourage other states to seek other locations for dumping radioactive waste. He suggested the states of Wisconsin and North Carolina for this purpose but if they are going to dump in Nevada they should have to pay dearly for that privilege.

Mr. Horn continued by stating that they feel that the cost should be representative of the risk and that the risk is high so therefore the cost should also be high. With the increase in fees if

there were 100,000 cubic feet dumped it would generate \$2,500,000 which could be used for checkpoints, inspecting shipments, monitoring and securing the area or could be used for education etc. These funds generated from a possible negative impact to the state could be used in a very positive light.

Mr. Kovacs asked if they had any idea how this would effect the existing contracts with the Beatty Dump Site which U.S. Ecology has. Would these contracts be grandfathered in.

Mr. Horn stated that this would have no effect as this would be an additional license fee which would be a whole new category of fee.

Mr. Barengo stated that the intent of the bill is to impose an additional fee and user fees can be imposed at any additional time.

Mr. Kovacs stated that what they are attempting to do is to charge the shippers and the brokers and the people who are actually running the dump site. Mr. Horn stated that the shipper and broker can pass these charges back to the place of origin.

Mr. Redelsperger stated that this really could not be considered as a source of revenue as this would effectively close the dump site. He questioned what the state would do then with the state's hazardous waste products because when the site is closed California would not be able to ship into it and then they in turn would probably close their dump sites to Nevada.

Mr. Vergiels pointed out that he felt that the state was going to get into a trap with the dump site in that each legislative session the site comes back and asks for an expansion. The dump site will eventually be a regional dump site and no one will know what is going to be put into it from that point on. He stated that the reason he is on the bill is that he doesn't want to see it expand. There is a certain number of acres right now and the next step will be request for additional acreage and this will go on and on. It is a good money making business. He would like to see a limit on size be put on it and when the area is full then it is all over.

Mr. Redelsperger stated that there are two bills in California legislature to look for a site within that state.

Mr. Kovacs stated that he felt there was some merit to the bill but that he felt the fee was much to high. He suggested that a smaller fee would still generate money to pay for inspection, monitoring and securing, etc.

Mr. Horn stated that Mr. Daykin had indicated that \$25.00 would be a reasonable amount and would not impair interstate commerce. The Director of Human Resources has indicated to Mr. Horn that he supported the bill but that the amount was too high and he would support a \$2.00 amount.

Mr. Horn was unable to answer Mr. Mello's question regarding what other state's were charging other than to point out that there are only three other states that have sites.

Mr. Vergiels stated that one of the problems he felt they were going to find was the illegal dump sites that no body knows about but will find out about too late. He added that he wondered if there was enough pressure from the legislature to make the people who are dumping be more responsible. He cited the situation of the containers of PCP that were found. He stated that he felt that these people are really not concerned with what the legislature is going to do about the situation or they would have cleaned up these containers.

Mr. Schofield pointed out that the federal act which has been passed will require each state to be responsible for their own particular problem. He stated that in Henderson there is a considerable amount of chemicals that are being dumped into California. He stated that there also are some other bills being studied that will regulate the industry and will address the problems that presently exist. This particular bill would only close the dump site but would not regulate the illegal waste being brought in being dumped in such areas as mine shafts, etc.

Mr. Redelsperger stated that 75% of the low level waste that comes into this state goes out to the test site and not to Beatty so this would only control about 25% because the state cannot control what goes on at the test site. Other bills being contemplated would attempt to control it all in some manner.

Mr. Barengo questioned how any bill then could control the 75% and asked the committee if it didn't make them mad that the federal government is using "our state as a dumping place for a bunch of stuff that could effect our lives?" The committee ought to look for solutions on how to stop the whole thing, remarked Mr. Barengo.

Mr. Jeffrey stated that the controls on the 75% would have to be on the transportation and handling of this. Mr. Horn stated that if this only effects 25% then they should take care of that 25% at this time.

Mr. Redelsperger stated that legislation being passed goes after the real problem and that is the shipping and handling of these wastes. He continued by stating that the waste is here now and the company has been licensed so the legislature should take a good look at handling properly. He suggested that perhaps more funding would be necessary for check stations, etc.

Mr. Vergiels stated that what he felt ought to happen with the bill to close the dump site is that the whole body of the Assembly should have an opportunity to vote on the issue.

Mr. Polish stated that one of the biggest polluters is the by-product of coal. He wondered what they would do with some of these and where they would be put if the site were closed.

Mr. Vergiels stated that the people in Nevada feel that taking care of our own waste is correct but what people resent is the truckloads being brought into this state. If the company can make a living out of just taking care of Nevada waste that would be fine.

Mr. Redelsperger stated that if that existed it would probably have to be financed by the state.

JoAnne Buehler, U.S. Ecology, spoke in opposition to the bill. She stated that this would not be a source of revenue because it would close the facility down. In answer to Mr. Mello's previous question about fees charged by other states, Mrs. Buehler stated that other states charge 25¢-30¢ for storage and there are two other states.

She stated that this bill refers strictly to the radioactive materials and the PCP would come under chemical waste and thus would not address this situation. AB 196 would deal with those kinds of materials. She added that there has been testimony put forth on the Senate side about the preferability of the site in Beatty. It was pointed out that the site was one of the best and the only better site would be a location in Brazil where they haven't had rain for 200 years.

She stated that if charges are passed through, the consumer would be the person who finally paid. The producers of the material would just pass it on for medical services, watches, coleman lantern mantels and number of plastic and metal pieces of equipment.

Mrs. Buehler stated in reference to California building a site, that this would take at least 2 or 3 years even if they passed legislation allowing it in the next week.

The regulations cited in the bill has been sufficiently covered in SB 86 which has been signed into law, remarked Mrs. Buehler, and this would be redundant. She added that the Department of Energy has contingency plan for low level waste disposal and that plan will be encouraged if this site is shut down. This would simply mean that the the Department of Energy would open up its test site low level waste depository for the disposal of commercial waste. This would mean that there would be no state control over any materials coming into the state because the state cannot regulate wastes that are deposited on federal facility. This state has an admirable program for regulating the materials that are accepted and how they must be disposed of. If this is no longer done on a commercial basis that is regulated by the state, then the state will no longer have any control of that portion of the states destiny. Mrs. Buehler finished by stating that she felt that would be shortsighted to consider shutting this down and moving it across the street into the test grounds where the state cannot protect its own citizens.

In answer to a question about fees, Mrs. Buehler stated that the State of Nevada is now the most expensive state with the \$3.50 per cubic foot third party inspection fee besides the state fees. The other two states accepting this waste are Washington and South Carolina. 50% of the waste presently goes to South Carolina and better than 30% goes to Washington. This state gets at the most 15% of the national commercial waste generated on the radiological side.

Mr. Jeffrey inquired how much control the state would have on the transporting of waste through the state destined for a federal depository. Mrs. Buehler stated that she was not sure how much control Department of Transportation has over federal transportation mechanisms. They are probably being transported by both federal and commercial vehicles but that most times they don't know when these vehicles come through the area.

Mr. Kovacs stated that the Department of Energy and Department of Transportation do work very closely together on the shipping of these types of thing. Mrs. Buehler stated that most of the regulations that the Department of Transportation imposed on the commercial transportation and packaging of waste were developed through the experience with Department of Energy and Department of Defense transportation.

Mr. DuBois inquired if in reference to the Henderson situation were there changes in the regulations which would prohibit this. Mrs. Buehler stated that these won't prohibit but that right now the State of Nevada does not allow any bulk chemical disposals within the state. Henderson produces a great deal of bulk chemical waste per year. Because they cannot be buried here they are shipped to California. New regulations from the federal government will require that those be solidified by November of 1981 and once they are solidified there will be no justification or reason for those to go to California.

AB 429, Orders Division of State Parks of State Department of Natural Resources to accept and maintain certain real property as State Park.

Assemblyman Redelsperger, sponsor of the bill, stated that this was from a request of Mineral County. He explained that the county has some beach property on Walker Lake that was deeded to them a number of years by the Springmeyer family. The County has had a hard time maintaining it because their tax base in the county has decreased and the revenues are at the maximum and so they cannot afford it. He stated that it was a shame to see the park site not being maintained and used and the Mineral County Commissioners would be happy to deed it over to the State of Nevada to use as a park. The lake is the main artery between the two population centers of the state and in the past the lake has been somewhat neglected by the State of Nevada and that perhaps it was time to take a look at putting some effort and money into this lake. The lake is the fourth largest lake in the state.

Mr. Redelsperger pointed out that this would be an ideal spot for travelers to stop and spend the night and help improve the the economic base of the area.

He cited that there were several different funding methods available. He stated that there was a fiscal impact on the bill. He presented a breakdown of what it would cost a copy of which is attached to these minutes as Exhibit A.

Mr. Redelsperger continued by stating that the Mineral County Commissioners have offered to assist in the actual work as possible. As far as funding, Mr. Redelsperger stated that it could be accomplished through the general fund or park bonds passed in 1970 and 1976 or bonds from motor boat and fuel tax. He pointed out that there was money set aside to acquire some land in Lincoln County and Lincoln County objected and so that money is also available.

John Meder, Administrator of the Division of State Parks, stated they plotted the area and developed the fiscal impact. He distributed a map for the committee to see the actual area being considered. He stated that the site would not justify a full time employee and they would anticipate contracting with someone in the area for a seasonal position.

Mr. Meder stated that the present facility is lacking in a number of areas and that they have been described on the Exhibit A.

Mr. Meder also went through the various funding possibilities available. He cited the \$200,000 that was earmarked for Lincoln County which will be freed up. There is about \$400,000 of these bonds that were never earmarked but set aside for acquisition of property.

In response to Mr. Kovacs question regarding where these funds came from, Mr. Meder explained that in the 1969 a bill was passed that authorized the voters to vote on \$5,000,000 worth of park acquisition bonds. In 1975 legislature passed a bill that called for a referendum vote for \$10,000,000. That was broken down with \$3,000,000 for state parks, \$5,000,000 for local governments and the rest was divided between wildlife preservation and bike paths. Of those funds, there is still \$718,000 that have not been sold.

Mr. Mello inquired if there was an existing rest area or park in the area. Mr. Redelsperger stated that particular area was operated by the BLM as a rest area.

Catherine N. Davis, Mineral County, stated that the existing two rest and park areas are filled to capacity during the fall, spring and summer.

A discussion was held on the fact the water line in the lake was receding. Mr. Meder stated that they were taking this into consideration should the park be created.

In answer to Mr. Rhoads question regarding size, Mr. Redelsperger stated that he felt that it would be between 80 and 100 acres. He stated that he has had the legal division run a legal search of the land and there are no problems that preclude the land from being deeded to the State.

Mr. DuBois inquired if there wasn't a private park in the area. Mr. Davis stated that there was. In answer to Mr. DuBois second question regarding it being filled to capacity, Mrs. Davis stated that it was not and that it was a trailer park.

Mr. Redelsperger stated that it is felt that the lake will stabilize within the next 10 to 20 years.

Mr. DuBois inquired if the operating costs of the state park could be offset by user fees. Mr. Meder stated that other state parks do not and that the fees charged vary according to the amount of development that has taken place in the park. Some have day use fees and others have camping fees.

Mr. DuBois then inquired what the capacity of the park would be. Mr. Meder stated that it probably would handle between 50-75 people at a time, picnicing, boating, and camping.

As this bill will have to go to Ways and Means for funding, Mr. Mello moved for a "do pass and rerefer to Ways and Means". and Mr. Polish seconded the motion. The motion passed with Mr. Dini and Mr. Schofield absent at this time.

As there was no further business and testimony to discuss, Chairman Jeffrey adjourned the meeting.

Respectfully submitted,

*Sandee Gagnier*  
Sandee Gagnier  
Assembly Attache

*by Judy L. Sappinfield*

**ASSEMBLY**  
**ECONOMIC DEVELOPEMENT**  
**AGENDA FOR COMMITTEE ON AND NATURAL RESOURCES**  
**TUESDAY**  
Date April 28, 1981 Time 2:00 P.M. Room 222

Bills or Resolutions to be considered	Subject	Counsel requested*
AB 503	Establishes fee per cubic foot for radioactive waste disposed of in areas owned by the state.	
AB 429	Orders division of state parks of state department of conservation and natural resources to accept and maintain certain real property as state park.	

\*Please do not ask for counsel unless necessary.



EXHIBIT A

WALKER LAKE

COUNTY BEACH

OPERATIONS & MAINTENANCE BUDGET

FY 1982 & 1983

		<u>1982</u>	<u>*1983</u>
<u>Personnel:</u>		0	0
<u>Operating:</u>			
7020	Operating Supplies	\$ 300.00	\$ 336.00
** 7060	Contract Services	7,200.00	8,064.00
7132	Utilities, Sanitation	60.00	68.00
7133	Utilities, Trash Collection	900.00	1,008.00
7140	Building Maintenance	100.00	112.00
7141	Grounds Maintenance	200.00	224.00
		<u>\$8,760.00</u>	<u>\$9,812.00</u>

\* 12% inflation FY 1983

\*\* Contract service based on 8 hours of service - 15 days per month

Walker Lake County Beach

Boat Launching

* 1.	Concrete Boat Ramp . . . . .	\$	15,232
* 2.	Courtesy Dock . . . . .		10,880
* 3.	Restroom (Clivus Multrum) . . . . .		51,680
* 4.	20-unit Boat and Car Parking 20,000 S.F. (approx.) x .816. . . . .		16,320
* 5.	20,000 S.F. Sub-Base x .37. . . . .		7,344
** 6.	Trash Cans and Enclosure, 3 x \$1,088.00 . . . . .		<u>3,264</u>

\$104,720

Day Use Area

* 1.	Picnic Tables, 10 x \$231.20 . . . . .	\$	2,312
* 2.	Barbecue Grills, 10 x \$108.80 . . . . .		1,088
** 3.	Trash Cans and Enclosure, 5 x \$1088.00 . . . . .		5,440
*** 4.	Shade Structures, 10 x \$4,160.60. . . . .		41,616
** 5.	Gravel Pads 140 S.F. x 10 x .37 . . . . .		517
6.	Signs . . . . .		<u>5,200</u>

\$ 56,173

\$160,893

15% Contingency . . . . .

24,068

TOTAL . . . . .

\$184,961

- \* Cost from Washow Lake Bid Proposal - Phase III
- \* Cost from State Purchasing
- \*\* Cost from Cave Lake 79/81 Campground
- \*\*\* Cost from Berlin 78 Campground