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MEMORANDUM

TO: Honorable Members of the Senate Committee on Environment and Natural Resources

FROM: Jennifer Sunstrom, Legislative Associate JS

DATE: May 15, 2003

RE: Senate Bill 121

The Wisconsin Counties Association (WCA) thanks you for the opportunity to make a few brief comments regarding Senate Bill 121 (SB 121), which requires the Secretary of Commerce to appoint a committee to study the use and disposal of used oil filters and other oil-absorbent materials.

Although WCA is supportive of the establishment of a committee to study this issue and make recommendations, we have some concerns about giving oversight of this committee to the Department of Commerce. We believe that this authority would be more appropriately left to the Department of Natural Resources, which has much more experience in dealing with solid waste and recycling issues.

Finally, WCA respectfully requests that the bill include a provision which requires representation of county government on the committee. There are currently thirty-two county responsible units and most counties are heavily involved in the collection, recycling and disposal of hazardous materials such as used oil filters.

Thank you for considering our comments. Please do not hesitate to contact the WCA office if you have any questions.

Testimony
of
Suzanne Bangert, Director
Wisconsin Department of Natural Resources
Bureau of Waste Management
Before the
Senate Committee on Environment and Natural Resources
2003 Senate Bill 121

Support

Thursday, May 15, 2003

Mr. Chairman and members of the committee. Thank you for the opportunity to testify today in favor of SB 121. My name is Suzanne Bangert, Bureau Director of the Bureau of Waste Management at the Department of Natural Resources (the DNR).

DNR supports recycling of used oil filters and oil-absorbent material. We agree with the bill's proposal to establish percentage recycling goals for used oil filters and other oil-absorbent materials and to recommend alternative measures to be taken if these goals are not achieved through voluntary action. The objective of the bill is consistent with recommendations submitted by the Council on Recycling (the Council) to the legislature in 1999, while expanding the scope to include oil-absorbent materials in addition to used oil filters. DNR supports delegation of responsibility for bill implementation to the Department of Commerce. The Council's recommendations included establishment of a Public/Private partnership with industry to set recycling goals, and accomplishing this task through Commerce is the right approach. DNR will be available to provide technical support on used oil recycling to the Department of Commerce. We also will be available to assist in providing some outreach and education once the recycling goals have been established and programs are in place.

While supporting the bill, the DNR believes that the timeline of 15 months to establish percentage recycling goals specified in the bill is unnecessarily long. The Council convened a subcommittee of 30 people representing government, industry and environmental groups to define the status of oil filter recycling in Wisconsin and to develop recommendations to increase the recycling rate. The subcommittee met over a 12 month period. In late 1999, they submitted a report with recommendations to the

Council. The subcommittee conducted a thorough review of technical information on the subject, compiling comprehensive documentation on the number of oil filters used and the current status of recycling in the state as well as in other states and in Canada. In addition, the oil-absorbent industry has compiled documentation on oil-absorbents and the amount of waste oil entering landfills through disposal of oil-absorbent material. DNR believes that the information collected for the Council report more recently is sufficient to set realistic recycling goals. Any significant additional data gathering is not required at this time.

The waste oil filter and oil-absorbent recycling industry infrastructure has made considerable progress since release of the Council's report in 1999. We believe that the oil filter and oil-absorbent industry is now capable of recycling these materials at a higher rate than currently observed. In fact, the Filter Manufacturers Council suggests that nationally used oil filter recycling has risen over 50%. We suggest that the focus of this work be first to establish recycling goals, followed by work to establish the Public/Private partnership to eliminate barriers to recycling these materials.

Thank you.

Remarks Supporting SB 121
Senate Committee on Environment and Natural Resources
May 15, 2003

John Reindl
Vice-Chair, Council on Recycling

Mr. Chairman and members of the Committee, I thank you for the opportunity to testify in favor of SB 121, for the recycling of used oil filters and other oil-absorbent materials. My name is John Reindl and currently have the honor to serve as the vice-chair of the Council on Recycling. I am representing the Council on Recycling on behalf of its Chair, Dan Meyer, as well as both the members of the Council and its former subcommittee on used oil filter recycling.

The Council was set up by state law to provide oversight on the implementation of the State Recycling Law and to provide recommendations to the Legislature, Governor and State Agencies. Members are appointed by the Governor.

In 1997 Act 243, the Council was directed by the Legislature to prepare a report to the Legislature to report on the status of the recycling of oil filters used in motor vehicles in Wisconsin and to present recommendations to increase the recycling of oil filters used in motor vehicles and other machinery. The Council formed a subcommittee representing a broad spectrum of interests that ultimately consisted of 30 people. 10 meetings were held, with recommendations back to the Council. The programs of 14 states and Canadian provinces were researched and reports developed on:

- Economic issues
- Education
- Marketing issues
- Partnerships
- Regulatory issues
- Bans

The Council concluded that:

"The Council on Recycling believes the current recycling rate for used oil filters, presently estimated at 15%, is a waste of resources and has the potential to create serious groundwater and other environmental problems."

The Council in turn recommended to the Legislature that:

"The Legislature establish, by legislation, a Task Force or similar body, attached to the Department of Commerce, that would, within a year of being formed:

- 1) Develop baseline information as to the state of used oil filter recycling in Wisconsin;
- 2) Use that baseline information to establish goals for used oil filter recycling;
- 3) Establish a Public/Private Partnership to develop and execute a plan of action. The Partnership should have a mixture of public and private funding;
- 4) Set a deadline of two years after establishment of the Public/Private Partnership for meeting the goals;
- 5) Institute a statewide ban on the disposal of used oil filters by the generators if the goals are not met by the deadline;
- 6) Require quarterly updates by the Public/Private Partnership to the Council on Recycling.

The Council on Recycling further recommends:

A) Establishment of an indemnification fund to repay the cost of disposal for a used oil filter that is contaminated in such a way as to make the used oil filter unfit for recycling. The fund shall repay any used oil filter collector who unintentionally receives contaminated filters.

B) The Public/Private Partnership should be given a charge to develop, plan and execute an educational program aimed at all generators of used oil filters.”

While the Council’s work was directed by the Legislature at used oil filters, we learned during our deliberations of the large amount of oil contained in absorbent materials, which also can be recovered.

The Council applauds the Legislature for moving this issue forward. As an indication of possible results, in 1997, the same year that the Legislature asked the Council to look into this issue, a used oil filter recycling program was begun in Alberta, Canada. Totally administered by the oil industry in response to the interest of the provincial government, their latest report on the Internet (http://www.usedoilrecycling.com/html/AUOMA_Business_Plan03-06.pdf) shows that, with a goal to recycle 87% of the oil filters in fiscal year 2002-2003, they forecast a recycling rate of 89%, having achieved an 86% recycling rate in the previous fiscal year. This is nearly 6 times the recycling rate that the Council found in Wisconsin, showing the opportunity to dramatically increase our recycling in a program that citizens and businesses alike find acceptable.

I would be glad to try to answer any questions that members of the Committee have and the Council stands ready to assist in moving this issue forward.

5/13/03 SB 10-1

Chris Snyder -

WI Auto & Truck

Dealers Assoc.

Army.

Want to be on

committee if

this Bill passes.

Want this

regulation to set

standards not

Commerce.

SB 10-1

Florida State Highway

oil program 10 years ago!

Vote Record

Committee on Environment and Natural Resources

Date: 9/18/03

Bill Number: SB121

Moved by: WIRCH Seconded by: STAPP

Motion: ADDITION OF SB121 AS AMENDED
PASSAGE

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Cathy Stepp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator David Zien	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Fred Risser	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Wirch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>4</u>	<u>1</u>	<u> </u>	<u> </u>

Motion Carried

Motion Failed

Vote Record

Committee on Environment and Natural Resources

Date: 9/15/03
Bill Number: SB121
Moved by: STEPP Seconded by: WIRCH
Motion: ADAPT SAI TO SB121

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Cathy Stepp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator David Zien	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Fred Risser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Wirch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 5 0 _____