

Joint Committee on Ways and Means

Carrier – House: Rep. Dingfelder
Carrier – Senate: Sen. Devlin

Revenue: No revenue impact

Fiscal: Fiscal statement issued

Action: Do Pass the A-Engrossed Measure

Vote: 15 – 6 – 0

House – Yeas: D. Edwards, Galizio, Nathanson, Nolan, Shields
– Nays: Garrard, Hanna, Jenson, Morgan
– Exc:

Senate – Yeas: Bates, Carter, Devlin, Gordly, Johnson, Morse, Nelson, Schrader, Westlund, Winters
– Nays: Verger, Whitsett
– Exc:

Prepared By: Paul Siebert, Legislative Fiscal Office

Meeting Date: 4/27/07

WHAT THE MEASURE DOES: Increases the annual fees for underground storage tanks. Removes the sunset on a voluntary program for the assessment of noncompliance penalties. Increases penalties for non-compliance.

ISSUES DISCUSSED:

- Support for the bill by those that would pay the fee
- Need for the fee increase to operate the program and allow EPA delegation

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The purpose of Oregon Department of Environmental Quality's (DEQ) tank assistance and compliance program is to prevent leaks and to ensure that facilities have pollution liability insurance. Senate Bill 104-A increases fees, which will allow DEQ to maintain the minimum eight staff for the program.

A pilot program for expedited enforcement was enacted by the 2001 Legislative Assembly and scheduled to sunset January 2, 2008. This program reduces the amount of time DEQ spends on traditional enforcement by allowing tank facilities to choose between a voluntary field ticketing approach or traditional enforcement. This approach has reduced the time and cost of enforcement. Senate Bill 104-A removes the sunset on the voluntary enforcement program.

DEQ is seeking to achieve permanent state primacy of the underground storage tank program as delegated from the U.S. Environmental Protection Agency (EPA). EPA requires that states to demonstrate that there is a permanent funding mechanism for the program which necessitates removal of the current program sunset, scheduled for January 2, 2008.