

Joint Committee on Ways and Means

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

Revenue: No revenue impact

Fiscal: Fiscal statement issued

Action: Do Pass as Amended and Be Printed A-Engrossed

Vote: 19 – 2 – 0

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

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

Prepared By: Paul Siebert, Legislative Fiscal Office

Meeting Date: 5/4/07

WHAT THE MEASURE DOES: Increases the per ton emission fee and the base fee for air pollutants from major sources as defined by the Federal Clean Air Act. Clarifies the definition of “regulated pollutant.” Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Growing backlog of permits for first time in many years
- Cost of program and staffing needs
- Ability of CPI allowed annual increase to keep pace with increased staffing costs
- Impact of phase-in of fee increase on agency’s proposed policy option package
- Federal law requires fully fee supported program

EFFECT OF COMMITTEE AMENDMENT: Phase-in of fee increase. Requires written explanation if Commission adopts rules or takes actions that go beyond federal requirements

BACKGROUND: Title V of the federal Clean Air Act requires discharge permits for Oregon’s largest industrial facilities, including those engaged in power generation, wood products, and paper and fiberglass production. Federal and state law further requires that the Title V fees collected pay for 100 percent of the cost of operating the Title V program. Currently under this program, Oregon Environmental Quality Commission is authorized to increase the fees annually, up to the increase in the Consumer Price Index (CPI). Title V is a mandated program under the federal Clean Air Act and delegated to the State of Oregon for implementation.