

**REVENUE: No revenue impact**

**FISCAL: May have fiscal impact, statement not yet issued**

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**Action:** Without Recommendation as to Passage, Be Printed Engrossed and Be Referred to the Committee on Ways and Means

**Vote:** 5 - 0 - 0

**Yeas:** Atkinson, Bates, Beyer, Prozanski, Avakian

**Nays:** 0

**Exc.:** 0

**Prepared By:** Sue Marshall, Administrator

**Meeting Dates:** 4/24, 4/26

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**WHAT THE MEASURE DOES:** Directs the Department of Environmental Quality to conduct a study of persistent bioaccumulative and toxic pollutants in the state and report to the Seventy-fifth Legislative Assembly. Specifies study shall include a list of priority toxic pollutants that pose a threat to public health and the environment, identify legacy sources and evaluate source control measures. Requires cities or special districts that hold major source National Pollution Discharge Elimination System permits or a major source water pollution control facility permits to submit a plan for reducing discharge of priority list pollutants by July 1, 2011. Requires department to condition new and renewed municipal permits based on these pollutant reduction plans. Authorizes the department to impose a surcharge on municipal permit holders to defray costs of study. Allows the Environmental Quality Commission to adopt rules to implement the measure. Allows the commission to apply to circuit court to compel compliance. Establishes a Persistent, Bioaccumulative and Toxic Pollutant Control Account and allows moneys to be donated to the fund. Continuously appropriates moneys from the fund to the department. Declares an emergency, effective on passage.

**ISSUES DISCUSSED:**

- Potential health risk to those whose diet includes high amounts of fish
- Water quality of and discharges to the Willamette River
- Increasing number of chemicals discharged into public waters
- Integration with Governor's toxics monitoring program
- Whether there is an associated loss of jobs in forest products industry
- Willingness of the municipalities to participate in the program
- Recreational water user's concern about pollutants and right to know
- Funding for the program

**EFFECT OF COMMITTEE AMENDMENT:** Replaces original language of the measure. Applies only to municipal and special districts that hold major source National Pollutant Discharge Elimination System permit or major source water pollution control facility permit issued by the department.

**BACKGROUND:** National Pollutant Discharge Elimination System (NPDES) permits are issued and regulated by the Department of Environmental Quality under delegated authority of the federal Clean Water Act. These permits limit the amount of pollutants that can safely enter surface water without jeopardizing water quality and the beneficial uses of public waters. There has been concern in recent years about the presence of toxic substances that persist in the environment and accumulate in sediments and the tissues of plant and animals. There is also concern that there is inadequate information about the sources of these pollutants and the degree of risk they pose to public health and the environment.

5/7/2007 9:49:00 AM

*This summary has not been adopted or officially endorsed by action of the committee.*