

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 2 - 0

Yeas: Davis, Frederick, Holvey, Unger, Clem

Nays: Cameron, Thatcher

Exc.: 0

Prepared By: Lynn Beaton, Administrator

Meeting Dates: 5/9, 5/21, 5/23, 5/28

WHAT THE MEASURE DOES: Requires potential applicant to request county or city hold pre-application conference and community meeting prior to submitting application for local land use approval to establish or modify composting disposal site that sells, or offers for sale, resulting product, if disposal site would require a permit issued by Department of Environmental Quality (DEQ). Requires county or city and DEQ to attend conference, along with other appropriate governmental and private entities, as determined by county or city. Establishes requirements and procedures for pre-application conference and pre-application community meeting. Requires county or city to hold pre-application conference no more than 40 days after receipt of request followed by community meeting convened by applicant no more than 60 days later. Requires notice of pre-application community meeting to be sent to newspaper; local media; specified state and local agencies; and owners of record, occupants, and neighborhood and community organizations within one-half mile of site. Defines property line surrounding school. Prohibits DEQ from issuing permit if proposed disposal site is within 1,500 feet of property line of school that is within exception area for rural residential uses, or proposed disposal site requires approval from metropolitan service district (Metro). Prohibits Metro from approving establishment of commercial composting disposal site if proposed site is within 1,500 feet of property line of school that is within exception area for rural residential uses. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Stafford example of company's experience obtaining permits
- Concern about schools located across road from proposed composting site
- Potential issues with enclosed facilities that don't emit external odor

EFFECT OF COMMITTEE AMENDMENT: Prohibits Department of Environmental Quality (DEQ) and metropolitan service district (Metro) from permitting composting facility within 1,500 feet of school that is within exception area for rural residential uses. Amends language describing composting facility to "sells, or offers for sale, resulting product." Amends action that triggers requirement for new land use approval to "increase the permitted annual tonnage of feedstocks used by the disposal site." Requires county or city, as well as DEQ and other representatives deemed appropriate, to attend pre-application conference, once applicant submits written request.

BACKGROUND: Composting refers to the managed process of controlled biological decomposition of organic and other solid wastes called feedstocks. In Oregon, applicants wanting to locate and operate a composting facility must first obtain land use approval from the local government and then obtain a permit through the Department of Environmental Quality (DEQ). During the permitting process, DEQ reviews proposed composting actions to minimize odors, achieve human pathogen reduction, control insects or animals capable of transmitting infectious diseases, and protect groundwater and surface water. For disposal sites proposed within the jurisdiction of the metropolitan service district (Metro), applicants must obtain approval from Metro, in addition to DEQ.

Senate Bill 462 B requires composting facilities that use non-vegetative feedstocks or modify operations in a manner that requires a new land use approval to hold a pre-application conference with relevant agencies and hold a pre-application community meeting with the public prior to applying for land use approval. Senate Bill 462 B prohibits DEQ and Metro from approving a composting disposal site within 1,500 feet of a school that is within an exception area for rural residential uses.

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