

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
Senate Committee On Environment and Natural Resources

MEASURE: SB 412 A
CARRIER: Sen. Edwards

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 04/20/15

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 03/16, 04/20

Vote:

Yeas: 5 - Dembrow, Edwards, Olsen, Prozanski, Thomsen

Prepared By: Beth Reiley, Committee Administrator

WHAT THE MEASURE DOES:

For any rule adopted by Environmental Quality Commission that requires determination that use of solid waste is productive, establishes that upland placement of dredged material by port district is productive. Defines “dredged material” for purpose of Act. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Importance of dredging activities to maintaining marine commerce
- Application of Beneficial Use of Solid Waste Rules
- Dredged sediments can contain contaminants

EFFECT OF COMMITTEE AMENDMENT:

Replaces measure.

BACKGROUND:

Ports remove dredged materials in order to maintain their shipping channels and port facilities. Maintenance dredging projects are subject to compliance with the federal Clean Water Act, and federal as well as state agencies oversee these projects. Oversight includes approval for disposal of the dredged materials if they are to be placed at an identified in-water disposal location. In Oregon, if the dredged materials are to be placed upland rather than in water, the Department of Environmental Quality’s (DEQ) Solid Waste Program reviews the proposed upland placement to ensure the sediments will not have an adverse impact on human health or the environment. In May 2009, the Environmental Quality Commission adopted the Beneficial Use of Solid Waste Rules (OAR 340-093-0260 through -0290) which established criteria and procedures for DEQ to approve the use of solid waste that would otherwise be disposed of at a permitted facility. The rules have three main criteria: 1) the applicant has sufficiently characterized the material, 2) the use is productive, and 3) the use will not create an adverse impact to public health, safety, welfare, or the environment.

Senate Bill 412A would establish that the upland placement of dredged material by a port district is considered productive.