

HB 2669 STAFF MEASURE SUMMARY

House Committee On Energy and Environment

Prepared By: Daniel Gray, LPRO Intern

Meeting Dates: 3/20

WHAT THE MEASURE DOES:

Increases allowed fee for community right to know regulatory program (Program) from \$2,000 to \$10,000 and requires assessment method for covered facilities to include output of facility and number of full-time equivalent employees. Removes facility reporting exemption for the purpose of protecting trade secrets. Removes provisions for enacting a Program related to involvement of Department of Environmental Quality, State Fire Marshal and the Oregon Health Authority. Adds public concern as acceptable reason to establish a Program. Requires all employers with total annual output of more than 1,000 pounds of hazardous substances to report to Program. Requires data retention by Program for 25 years. Requires Program to establish procedures for requiring reporting of pesticides used for purposes of wood preservation and chemical manufacturing. Requires a schedule for the auditing of reports submitted by employers. Defines 'biopersistent substance' and 'extremely hazardous substance.'

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 1985, the Oregon Legislature passed the Oregon Community Right to Know and Protection Act. The purpose of this law is to provide first responders and the public with information about hazardous substances in their response areas and neighborhoods. The law directs the Office of State Fire Marshal (OSFM) to survey business and government facilities for information about the presence of hazardous substances and to collect information about incidents involving hazardous substances. The law further directs the OSFM to provide planning and training assistance to local jurisdictions on hazardous substance emergency response and preparedness. Passed in 1986, the federal Emergency Planning and Community Right to Know Act (EPCRA) also requires certain businesses to report storage of hazardous substances to their state regulatory agency.

In 1996, the City of Eugene established its own community right to know program by amendment to its city charter. It is overseen by a seven-member volunteer citizen board appointed by the Eugene City Council.

The Act increases allowed fees for community right to know programs, changes provisions for the enactment of a Program, creates reporting and data retention requirements, and defines terms.