

HB 3312 -1, -2 STAFF MEASURE SUMMARY

House Committee On Energy and Environment

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Meeting Dates: 4/17

WHAT THE MEASURE DOES:

Requires the Department of Environmental Quality to establish environmental regulations at least as stringent as those provided under federal law on January 19th, 2017. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Requires Department of Environmental Quality to adopt by rule all baseline federal standards that DEQ had not already adopted corollary standard or regulation under state law. Stipulates any adopted standard or regulation must be as stringent as provided for in baseline federal standard.

Defines baseline federal standard as all standards and regulations contained in Title 40 of United States Code in existence on or before January 19, 2017.

-2 Replaces measure. Defines baseline standards as those contained in federal environmental law that were in existence on January 19, 2017. Prohibits Environmental Quality Commission from amending rules to be less stringent than baseline federal standards. Authorizes EQC to amend rules to be more stringent than federal baseline standards. Requires each natural resource agency to submit report identifies each federal environmental law that each agency has been delegated authority over; any notice on identified laws published in Federal Register on or after January 19, 2017 and before August 15, 2018 that proposes to change federal regulation in a way that may diminish environmental protection and certain agency evaluation of the change. Repeals reporting requirement December 31, 2018.

• **REVENUE:** *Revenue impact issued*

• **FISCAL:** *Fiscal impact issued*

BACKGROUND:

Federal environmental regulations are codified annually in the US Code of Federal Regulations (CFR) Title 40: Protection of Environment. CFR Title 40 includes a detailing of the structure and powers of the Environmental Protection Agency (EPA), which is includes at least 15 areas of oversight.

House Bill 3312 would require the Department of Environmental Quality to adopt standards set by the EPA as of January 19th, 2017.