

SB 1036 A STAFF MEASURE SUMMARY

Carrier: Sen. Dembrow

Senate Committee On Environment and Natural Resources

Action Date: 04/17/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Linthicum, Olsen, Prozanski, Roblan

Fiscal: No fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Amends statutory definition of "surface mining" to exclude:

- Excavation or movement of materials at a landfill site for certain primary purposes if excavation and movement of materials is covered by a permit issued by the Department of Environmental Quality under the solid waste management disposal site statutes (ORS 459.205 to 459.385).
- Excavation or grading operations necessary for the construction and maintenance of utilities, drainage facilities and irrigation facilities where the material is used onsite and is not sold into the commercial market as aggregate material.

ISSUES DISCUSSED:

- Statutory definition of "surface mining" excludes activities not covered by state mining permit
- Mining permit vs. landfill permit requirements
- Riverbend landfill

EFFECT OF AMENDMENT:

Replaces substantive provision in bill.

BACKGROUND:

The reclamation of mined lands is regulated under ORS Chapter 517. Most mines in Oregon are aggregate mines. The Department of Geology and Mineral Industries (DOGAMI) administers the state's surface mining reclamation program and issues operating permits for material extraction activity that exceeds one acre of disturbance in any 12-month period or 5,000 cubic yards of excavation in any 12-month period.

Senate Bill 1036A would revise the statutory definition of surface mining to exempt from DOGAMI permitting requirements the excavation or movement of materials at landfills covered by a state landfill permit or excavation and movement of materials related to the construction or maintenance of utilities and drainage or irrigation facilities from DOGAMI permitting requirements