

**SB 871 B STAFF MEASURE SUMMARY****Carrier:** Sen. Frederick**Joint Committee On Ways and Means****Action Date:** 06/30/17**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Senate Vote****Yeas:** 12 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Thomsen, Winters**House Vote****Yeas:** 10 - Gomberg, Holvey, Huffman, McLane, Nathanson, Rayfield, Smith G, Smith Warner, Stark, Whisnant**Exc:** 1 - Williamson**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Matt Stayner, Budget Analyst**WHAT THE MEASURE DOES:**

Authorizes a city to establish a program for the demolition of residences or residential buildings. Establishes program requirements. Requires Oregon Health Authority to establish a lead containment certification program for purpose of certifying contractors to perform demolitions of residences or residential buildings built before 1978 in cities with a demolition program. Requires Environmental Quality Commission to establish procedures for conducting asbestos survey under ORS 468A.757. Takes effect on 91st day after date on which the 2017 regular session of Legislative Assembly adjourns sine die.

**ISSUES DISCUSSED:**

- Lead poisoning of children
- complaints related to air quality
- concerns about homeowner doing work
- local determination of program

**EFFECT OF AMENDMENT:**

Replaces the bill. Allows for a city to establish a program for the demolition of residences or residential buildings and sets forth a number of requirements for persons performing a demolition, including methods for dealing with lead paint for structures built before 1978. Allows for the program established by a city to require the submission of an asbestos survey and notice of performance of activities related to asbestos abatement before performing the demolition.

**BACKGROUND:**

Asbestos is the generic name given to a group of fibrous minerals used to make a wide range of construction materials including roofing shingles, ceiling and floor tiles, insulation, adhesives, and cement siding. Exposure to asbestos has been shown to increase the risk of an individual developing lung disease. In Oregon, all asbestos contractors must have an asbestos abatement license issued by the Department of Environmental Quality and must use only certified workers and supervisors. In 2015, the Legislative Assembly adopted SB 705, requiring the Environmental Quality Commission (EQC) to adopt rules requiring inspectors to perform asbestos surveys prior to beginning demolition in order to determine whether a residence is insulated with asbestos. Under EQC rules, this survey requirement applies to residences constructed prior to January 1, 2004. If asbestos is found, it must all be properly removed and disposed of by a licensed asbestos abatement contractor prior to the demolition.

## **SB 871 B STAFF MEASURE SUMMARY**

Although leaded paint and gasoline are no longer used in the United States, an individual may still be exposed to lead dust generated during building renovation activities such as sanding, cutting, and demolition. Houses built prior to 1978 were commonly painted with leaded paint inside and out. The federal Environmental Protection Agency (EPA) issued the Renovation, Repair and Painting rule on April 22, 2008 to protect children and adults against hazardous lead dust and chips disturbed during common renovation activities. In 2010, EPA gave the Oregon Construction Contractors Board and the Oregon Health Authority the authority to administer the rule in Oregon.

SB 871 would authorize a city to establish a program for the demolition of residences or residential buildings establish program requirements. The measure would also require the Oregon Health Authority to establish a lead containment certification program to certify contractors to perform demolitions of residences or residential buildings built before 1978 in cities with a demolition program.