

SB 1036 B STAFF MEASURE SUMMARY

Carrier: Rep. McLane

House Committee On Rules

Action Date: 07/03/17

Action: Do Pass the B-Eng bill.

Vote: 7-0-2-0

Yeas: 7 - Barreto, Holvey, McLane, Nosse, Rayfield, Smith Warner, Williamson

Exc: 2 - Hack, Kennemer

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 landfill site for certain primary purposes, if excavation and movement of materials is covered by permit issued by Department of Environmental Quality under solid waste management disposal site statutes; and
- Excavation or grading operations necessary for construction and maintenance of utilities or drainage facilities, if excavated materials are used on site and not sold commercially as aggregate material.

ISSUES DISCUSSED:

- Provisions of measure

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Reclamation refers to the process of rehabilitating surface resources in order to minimize the adverse effects of surface mining operations or exploration on land, air, and water resources. The reclamation of mined lands is regulated under ORS Chapter 517. Most mines in Oregon are aggregate mines. Aggregate is the main ingredient in concrete and asphalt pavement and is used for roads and buildings. 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 1036-B 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 or drainage facilities.