

**Legislative
Fiscal Office**

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**Joint Committee on
Ways and Means**

Sen. Peter Courtney, Senate Co-Chair
Rep. Nancy Nathanson, House Co-Chair

Sen. Betsy Johnson, Senate Co-Vice Chair
Sen. Jackie Winters, Senate Co-Vice Chair
Rep. Dan Rayfield, House Co-Vice Chair
Rep. Greg Smith, House Co-Vice Chair

To: Natural Resources Subcommittee

From: Tim Walker, Legislative Fiscal Office

Date: February 27, 2018

Subject: SB 1541 – Relating to toxic air contaminants; declaring an emergency.

This measure directs the Environmental Quality Commissions to develop rules to reduce the public health risks of air toxics emissions. The bill also directs the Environmental Quality Commission to develop a pilot program for assessing the potential cumulative impacts from multiple sources of industrial air toxic emissions and under certain circumstances limit those emissions. The bill directs the Environmental Quality Commissions to establish a fee applicable to air quality permit holders to cover the direct and indirect costs associated with developing and implementing a program and rules to reduce the public health risks associated with industrial air toxics.

-A9 Amendment:

The -A9 amendment directs the commission to develop a schedule of fees to cover the direct and indirect costs of the rules; clarifies the fee may be levied on all permitted sources of air contamination; establishes an effective date for fees authorized under this bill and restricts the base fees to no more than 35% of Air Contaminant Discharge Permit program or Title V program base fees collected in the calendar year 2018; establishes a schedule of one-time fees to be collected in the fall of 2018 for the purposes of designing and implementing the rules and programs established by the measure; sunsets the fees on January 2, 2020; and directs the commission to develop a schedule of fees to cover the direct and indirect costs of the commission and department in developing and implementing the rules and program established by the measure.

MOTION: I move adoption of the -A9 amendment to SB 1541 A.

-A11 Amendment:

The -A11 amendment alters the standard of liability outlined in Section 6 of the measure and does not affect the overall fiscal impact.

Motion: I move adoption of the -A11 amendment to SB 1541 A

-A13 Amendment:

The -A13 amendment changes the excess lifetime cancer risk level from “50 in one million” to “25 in one million”. This amendment does not change the overall fiscal impact of the measure.

Motion: I move adoption of the -A13 amendment to SB 1541 A

-A17 Amendment:

The -A17 amendment adds a standalone Other Funds limitation of \$2,000,156 to the Department of Environmental Quality for the purposes of the bill and \$365,000 Other Funds limitation to Oregon Health Authority to implement air toxics rules.

Motion: I move adoption of the -A17 amendment to SB 1541 A.

Final Subcommittee Action

MOTION: I move SB 1541 A to the Full Committee, as amended, with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____