

SB 1518-8  
(LC 179)  
2/13/18 (SCT/ps)

Requested by SENATE COMMITTEE ON VETERANS AND EMERGENCY PREPAREDNESS

**PROPOSED AMENDMENTS TO  
SENATE BILL 1518**

1 On page 1 of the printed bill, line 2, after “provisions;” delete the rest  
2 of the line and insert “amending ORS 453.392; and prescribing an effective  
3 date.”.

4 Delete lines 4 through 30 and delete pages 2 and 3 and insert:

5 **“SECTION 1.** ORS 453.392 is amended to read:

6 “453.392. (1) As part of the plan for the effective implementation of a  
7 statewide hazardous material emergency response system established by rule  
8 under ORS 453.374, the State Fire Marshal shall adopt by rule a plan for the  
9 coordinated response to oil or hazardous material spills or releases that oc-  
10 cur during rail transport. The plan adopted under this subsection:

11 “(a) Shall address, with a specific focus on oil or hazardous material  
12 spills or releases that occur during rail transport, all required provisions  
13 under ORS 453.374;

14 “(b) May include requirements and incentives for local governments and  
15 other responders to participate in ongoing training programs;

16 “(c) Shall provide a system for identifying where hazardous material re-  
17 sponse [*materials*] **resources** owned by railroads are located throughout this  
18 state and how access to those [*materials*] **resources** is to be coordinated;  
19 [*and*]

20 **“(d) Shall include annual statewide training exercises and tabletop**  
21 **exercises that include the Department of Environmental Quality, the**

1 **Department of Transportation, the Office of Emergency Management,**  
2 **state and local responders, federally recognized Indian tribes in this**  
3 **state and railroads that operate in this state;**

4 **“(e) Shall plan, prepare and conduct a biannual full-scale, multia-**  
5 **gency, multijurisdictional and multidisciplinary oil or hazardous ma-**  
6 **terial spill or release training exercise that:**

7 **“(A) Involves training for all manner of personnel necessary to a**  
8 **coordinated response to an oil or hazardous material spill or release;**

9 **“(B) Is intended to examine or validate the planning, coordination**  
10 **and command and control decisions that may be made in the event**  
11 **of an oil or hazardous material spill or release and to also examine or**  
12 **validate response-specific capabilities or functions; and**

13 **“(C) Involves training that covers the entire sequence of events that**  
14 **take place during an oil or hazardous material spill or release incident**  
15 **that occurs during rail transport; and**

16 **“[(d)] (f) [May] Shall** include any other information deemed necessary by  
17 the office of the State Fire Marshal to provide coordinated response to oil  
18 or hazardous material spills or releases that occur during rail transport.

19 **“(2) The office of the State Fire Marshal shall annually coordinate with**  
20 **local governments, other state agencies involved in hazardous material**  
21 **emergency response, other responders and representatives of the railroad in-**  
22 **dustry to prepare a report on the coordinated response plan adopted under**  
23 **this section and shall:**

24 **“(a) Make the report available as an appendix to the Office of Emergency**  
25 **Management’s oil and hazardous material response emergency operations**  
26 **plan developed pursuant to ORS 401.092; and**

27 **“(b) No later than February 1 of each year, submit the report to the**  
28 **Legislative Assembly in the manner provided in ORS 192.245.**

29 **“(3) The report required by subsection (2) of this section shall include,**  
30 **but need not be limited to, the following in relation to oil and hazardous**

1 material emergency response for rail transport:

2 “(a) An inventory of all emergency response resources available in this  
3 state, including information on:

4 “(A) The location of, and the means of access to, the resources;

5 “(B) Whether the resources are publicly or privately maintained; and

6 “(C) Additional resources that are needed to provide for adequate re-  
7 sponse;

8 “(b) Suggested changes to the structure for the continued coordination  
9 between state agencies and industry;

10 “(c) Possible revisions to the response roles or responsibilities of state  
11 agencies, local governments and railroads; and

12 “(d) Strategies for ensuring adequate funding at the state and local gov-  
13 ernment levels to cover the training, equipment and administrative costs  
14 associated with providing comprehensive response and equipment.

15 **“SECTION 2. (1) The Office of Emergency Management shall meet  
16 and collaborate with marine and railroad operators that operate in  
17 Oregon and transport hazardous material, as defined in ORS 466.605,  
18 to determine the role of those operators during a natural disaster or  
19 catastrophic emergency event.**

20 **“(2) The office shall:**

21 **“(a) Meet with the operators described in this section at least  
22 biannually; and**

23 **“(b) Not later than March 31, 2019, submit a report, in the manner  
24 provided in ORS 192.245, on the progress of integrating the operators  
25 described in this section into state plans to respond to a Cascadia  
26 subduction zone event.**

27 **“(3) The office may adopt rules to carry out the requirements of  
28 this section.**

29 **“SECTION 3. (1) The Office of Emergency Management shall col-  
30 laborate with the Department of Environmental Quality, the Depart-**

1 ment of Transportation, the State Fire Marshal, railroad operators  
2 that operate in Oregon and transport oil, as defined in ORS 468B.300,  
3 and any other relevant state agencies to review the program estab-  
4 lished by the State of Washington related to oil spill prevention,  
5 preparedness and response.

6 “(2) Not later than September 15, 2018, the office shall submit a re-  
7 port of its findings, in the manner provided in ORS 192.245, to the in-  
8 terim committees of the Legislative Assembly related to emergency  
9 planning and shall include in the report recommendations for legis-  
10 lation.

11 **“SECTION 4. Section 2 of this 2018 Act is repealed on January 2,  
12 2020.**

13 **“SECTION 5. Section 3 of this 2018 Act is repealed on January 2,  
14 2019.**

15 **“SECTION 6. (1) The amendments to ORS 453.392 by section 1 of this  
16 2018 Act become operative on January 1, 2019.**

17 **“(2) The Office of Emergency Management may take any action  
18 before the operative date specified in subsection (1) of this section that  
19 is necessary for the Office of Emergency Management to exercise, on  
20 and after the operative date specified in subsection (1) of this section,  
21 any of the duties, functions and powers conferred on the Office of  
22 Emergency Management by the amendments to ORS 453.392 by section  
23 1 of this 2018 Act.**

24 **“SECTION 7. This 2018 Act takes effect on the 91st day after the  
25 date on which the 2018 regular session of the Seventy-ninth Legislative  
26 Assembly adjourns sine die.”.**

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