

SB 792 -2, -3, -4, -6, -8 STAFF MEASURE SUMMARY

Senate Committee On Environment and Natural Resources

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Meeting Dates: 3/12, 4/4

WHAT THE MEASURE DOES:

Removes exemption of auto dismantlers holding a dismantler certificate from definition of "disposal site" for purposes of solid waste management regulation by the Department of Environmental Quality. Makes conforming change to provision allowing dismantling business to store not more than 1,500 waste tires.

No subsequent referral

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Changes dismantler certificate (certificate) from three to one year period and certificate fee from \$800 to \$500. Directs Oregon Department of Transportation (ODOT) to conduct annual inspection of dismantler business to determine compliance with specified laws and to immediately notify the Department of Environmental Quality (DEQ) if ODOT has reason to believe the premises is operating in violation of solid waste, air quality, or water quality laws. Adds requirement that certificate application include a fire response plan and proof of compliance with DEQ solid waste permits. Allows enforcement action on certificate for solid waste law violations or specified offenses considered environmental crimes under ORS Chapter 468. Requires local fire inspection of dismantler business every six months and report to ODOT. Requires dismantler business to be in compliance with any agreement with, order of, or program or process authorized by DEQ that governs the conduct of the dismantler. Continues validity of certificates issued prior to the effective date of this Act for three years from date of issuance. Applies specified provisions of Act to certificates issued or renewed on or after the effective date of Act.

-3 Requires dismantler business to be in compliance with any agreement with, order of, or program or process authorized by DEQ that governs the conduct of the dismantler. Establishes Task Force on Auto Dismantler Regulation consisting of 11 members. Directs Task Force to consider options to address environmental and safety regulation of motor vehicle dismantling businesses, including, but not limited to, amendments to solid waste statutes to remove the exemption for such businesses from the definition of disposal site. Requires Task Force report to legislature no later than September 15, 2019. Makes specified amendments to solid waste laws operative January 1, 2021. Declares emergency, effective on passage.

-4 Replaces measure. -4 amendment is identical to the -2 amendment except: (1) it deletes the provision that removes the exemption of auto dismantlers holding a dismantler certificate from definition of "disposal site" for purposes of solid waste management regulation and (2) it does not include the provision in the -2 amendment that allows enforcement action on a dismantler certificate for solid waste law violations.

-6 Replaces measure. Changes dismantler certificate (certificate) from three to one year period and certificate fee from \$800 to \$500. Authorizes Oregon Department of Transportation (ODOT) to conduct annual inspection of any business issued a certificate to determine compliance with specified laws and rules. Directs ODOT to submit a report with following information to the Department of Environmental Quality (DEQ) if it determines specified items are on the business premises: presence of piled waste tires in an amount greater than 100 waste tires, metal shredder, any open or unlabeled containers of automotive fluids, and an underground injection control. Authorizes ODOT to reduce number of inspections to once every two years if three most recent, consecutive inspections show compliance. Requires certificate application or renewal application to include: fire response plan

This summary has not been adopted or officially endorsed by action of the committee.

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approved by ODOT and proof of any applicable permits required by DEQ. Authorizes ODOT to impose sanctions on certificate holder for conviction of offense under specified environmental crime statutes. Requires dismantler business to have premises inspected annually by local fire inspectors and furnish written report to ODOT. Requires dismantler business to be in compliance with any agreement, order of, or program or process authorized by DEQ that governs conduct of dismantler. Raises value of bond or letter of credit to qualify for dismantler certificate to sum of \$500,000. Requires local government to notify all property owners that are or will be adjacent to dismantling business before business moves, expands, or opens an additional location prior to issuing supplemental certificate. Removes dismantler business exemption from 100 waste tire storage limit without a permit. Specifies certificate issued prior to effective date of Act is valid for three years from date of issuance.

-8 Changes value of bond required to \$100,000.

BACKGROUND:

The Oregon Department of Motor Vehicles licenses and regulates auto dismantler businesses under ORS Chapter 822.

Solid waste disposal sites are regulated by the Oregon Department of Environmental Quality (DEQ) under ORS Chapter 459. A solid waste facility must apply to DEQ for a Solid Waste Disposal Permit prior to starting operation.

Senate Bill 792 would remove the exemption of auto dismantlers holding a dismantler certificate from the definition of "disposal site" for purposes of solid waste management regulation by DEQ.