

**SB 792 A STAFF MEASURE SUMMARY**

**Senate Committee On Environment and Natural Resources**

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**Action Date:** 04/04/19

**Action:** Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

**Vote:** 5-0-0-0

**Yeas:** 5 - Bentz, Dembrow, Olsen, Prozanski, Roblan

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Beth Patrino, LPRO Analyst

**Meeting Dates:** 3/12, 4/4

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**WHAT THE MEASURE DOES:**

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 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 \$100,000. 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.

**ISSUES DISCUSSED:**

- 2018 fire near Cully neighborhood in Northeast Portland
- Role of Departments of Transportation and Environmental Quality in regulating dismantler businesses
- Frequency of inspections
- Waste tire storage permits

**EFFECT OF AMENDMENT:**

Replaces measure.

**BACKGROUND:**

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

Senate Bill 792-A would change the time period of an auto dismantler certificate from three years to one year, require annual dismantler business inspections, and remove the exemption from the requirement to obtain a waste tire permit for dismantlers storing more than 100 waste tires.