On page 1 of the printed A-engrossed bill, delete lines 7 through 16 and delete page 2.

On page 3, delete lines 1 through 8 and insert:

"SECTION 2. (1) As used in sections 2 to 6 of this 2022 Act, 'bulk oils or liquid fuels terminal' means an industrial facility located in Columbia, Multnomah or Lane County that is primarily engaged in the transport or bulk storage of oils or liquid fuel products and is characterized by having:

(a) Marine, pipeline, railroad or vehicular transport access;

(b) Transloading facilities for transferring shipments of oils or liquid fuel products between transportation modes; and

(c) One or more bulk storage tanks with a combined capacity of two million gallons or more.

(2) An owner or operator of a bulk oils or liquid fuels terminal shall conduct and submit to the Department of Environmental Quality a comprehensive seismic vulnerability assessment for the entire bulk oils or liquid fuels terminal. A seismic vulnerability assessment submitted to the department under this section must:

(a) Include a seismic risk assessment, or a series of seismic risk assessments, conducted by qualified professionals using the most recent industry standards for assessing seismic risk to:

(A) Buildings, structures and ancillary components;

(B) Bulk storage tanks;

(C) Spill containment structures;

(D) Transloading facilities, including wharves, piers, moorings and retaining structures;

(E) Loading racks;

(F) Control equipment; and

(G) Any other structures and related or supporting facilities that constitute the bulk oils or liquid fuels terminal;

(b) Include a determination of the bulk oils or liquid fuels terminal's vulnerability to liquefaction triggering and liquefaction consequences, such as lateral spreading and coseismic settlement, using standards in accordance with guidance contained in National Academies of Sciences, Engineering and Medicine, State of the Art and Practice in the Assessment of Earthquake-Induced Soil Liquefaction and Its Consequences, 2016;

(c) Include a determination of whether the existing structures and related or supporting facilities that constitute the bulk oils or liquid fuels terminal have been designed, improved or retrofitted to reduce the potential for significant structural damage to property or harm to people or the environment in or adjacent to the bulk oils or liquid fuels terminal in the
event of a magnitude 9.0 Cascadia Subduction Zone earthquake, including impacts from the 
expected duration of shaking; and
“(d) Include a determination of the structures and related or supporting facilities that 
are most vulnerable to seismic risks and the potential of those structures and facilities to 
maintain safe operating conditions, or safe shutdown procedures, to protect public health, 
life safety and environmental safety against releases of oils or liquid fuel products, including 
information about operational procedures during disasters.
“(3) The department shall review a seismic vulnerability assessment submitted under this 
section and approve the assessment if it meets the requirements of subsection (2) of this 
section and any other requirements for seismic vulnerability assessments contained in rules 
adopted under subsection (4) of this section.
“(4)(a) The Environmental Quality Commission, in consultation with the State Depart-
ment of Geology and Mineral Industries, may adopt by rule requirements for seismic vul-
nerability assessments submitted to the Department of Environmental Quality under this 
section.
“(b) Rules adopted by the commission may require the owner or operator of a bulk oils 
or liquid fuels terminal to submit seismic vulnerability assessment updates to the depart-
ment:
“(A) Upon the retrofit or reconstruction of all or a part of a bulk oils or liquid fuels 
terminal; or
“(B) Based on new scientific or technical findings, but no more frequently than once ev-
every three years.
“(c) Notwithstanding subsection (2)(b) of this section, the commission may by rule adopt 
revised or additional standards for determining a bulk oils or liquid fuels terminal's vulner-
ability to liquefaction triggering and liquefaction consequences if the commission determines 
that guidance contained in ‘National Academies of Sciences, Engineering and Medicine, State 
of the Art and Practice in the Assessment of Earthquake-Induced Soil Liquefaction and Its 
Consequences, 2016’ no longer represents the most recent industry standards for determining 
vulnerability to soil liquefaction triggering and liquefaction consequences.”.

On page 4, after line 18, insert:

“SECTION 3a. The requirements of sections 2 to 6 of this 2022 Act do not apply to a bulk 
oils or liquid fuels terminal to the extent those requirements are preempted by the federal 
Pipeline Safety Improvement Act of 2002, 49 U.S.C. 60101 et seq.”.

On page 14, after line 29, insert:

“SECTION 18. (1) Notwithstanding any other provision of law, the General Fund appro-
priation made to the Department of Environmental Quality by section 1 (3), chapter 673, 
Oregon Laws 2021, for the biennium ending June 30, 2023, for land quality, is increased by 
$712,318 for implementation of the provisions of sections 2 to 6 and 15 of this 2022 Act.
“(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures 
established by section 4, chapter 423, Oregon Laws 2021, for the biennium ending June 30, 
2023, as the maximum limit for payment of expenses from federal funds collected or received 
by the State Department of Energy, is increased by $327,996 for implementation of the pro-
visions of sections 12 and 16 of this 2022 Act.”.

In line 30, delete “18” and insert “19”.

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