

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 1567**

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

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

4 **“SECTION 2. (1) As used in sections 2 to 6 of this 2022 Act, ‘bulk**
5 **oils or liquid fuels terminal’ means an industrial facility located in**
6 **Columbia, Multnomah or Lane County that is primarily engaged in the**
7 **transport or bulk storage of oils or liquid fuel products and is char-**
8 **acterized by having:**

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

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

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

14 **“(2) An owner or operator of a bulk oils or liquid fuels terminal**
15 **shall conduct and submit to the Department of Environmental Quality**
16 **a comprehensive seismic vulnerability assessment for the entire bulk**
17 **oils or liquid fuels terminal. A seismic vulnerability assessment sub-**
18 **mitted to the department under this section must:**

19 **“(a) Include a seismic risk assessment, or a series of seismic risk**
20 **assessments, conducted by qualified professionals using the most re-**
21 **cent industry standards for assessing seismic risk to:**

- 1 **“(A) Buildings, structures and ancillary components;**
2 **“(B) Bulk storage tanks;**
3 **“(C) Spill containment structures;**
4 **“(D) Transloading facilities, including wharves, piers, moorings and**
5 **retaining structures;**
6 **“(E) Loading racks;**
7 **“(F) Control equipment; and**
8 **“(G) Any other structures and related or supporting facilities that**
9 **constitute the bulk oils or liquid fuels terminal;**
10 **“(b) Include a determination of the bulk oils or liquid fuels**
11 **terminal’s vulnerability to liquefaction triggering and liquefaction**
12 **consequences, such as lateral spreading and coseismic settlement, us-**
13 **ing standards in accordance with guidance contained in ‘National**
14 **Academies of Sciences, Engineering and Medicine, State of the Art and**
15 **Practice in the Assessment of Earthquake-Induced Soil Liquefaction**
16 **and Its Consequences, 2016’;**
17 **“(c) Include a determination of whether the existing structures and**
18 **related or supporting facilities that constitute the bulk oils or liquid**
19 **fuels terminal have been designed, improved or retrofitted to reduce**
20 **the potential for significant structural damage to property or harm to**
21 **people or the environment in or adjacent to the bulk oils or liquid fu-**
22 **els terminal in the event of a magnitude 9.0 Cascadia Subduction Zone**
23 **earthquake, including impacts from the expected duration of shaking;**
24 **and**
25 **“(d) Include a determination of the structures and related or sup-**
26 **porting facilities that are most vulnerable to seismic risks and the**
27 **potential of those structures and facilities to maintain safe operating**
28 **conditions, or safe shutdown procedures, to protect public health, life**
29 **safety and environmental safety against releases of oils or liquid fuel**
30 **products, including information about operational procedures during**

1 **disasters.**

2 **“(3) The department shall review a seismic vulnerability assessment**
3 **submitted under this section and approve the assessment if it meets**
4 **the requirements of subsection (2) of this section and any other re-**
5 **quirements for seismic vulnerability assessments contained in rules**
6 **adopted under subsection (4) of this section.**

7 **“(4)(a) The Environmental Quality Commission, in consultation**
8 **with the State Department of Geology and Mineral Industries, may**
9 **adopt by rule requirements for seismic vulnerability assessments sub-**
10 **mitted to the Department of Environmental Quality under this sec-**
11 **tion.**

12 **“(b) Rules adopted by the commission may require the owner or**
13 **operator of a bulk oils or liquid fuels terminal to submit seismic vul-**
14 **nerability assessment updates to the department:**

15 **“(A) Upon the retrofit or reconstruction of all or a part of a bulk**
16 **oils or liquid fuels terminal; or**

17 **“(B) Based on new scientific or technical findings, but no more**
18 **frequently than once every three years.**

19 **“(c) Notwithstanding subsection (2)(b) of this section, the commis-**
20 **sion may by rule adopt revised or additional standards for determining**
21 **a bulk oils or liquid fuels terminal’s vulnerability to liquefaction trig-**
22 **gering and liquefaction consequences if the commission determines**
23 **that guidance contained in ‘National Academies of Sciences, Engi-**
24 **neering and Medicine, State of the Art and Practice in the Assessment**
25 **of Earthquake-Induced Soil Liquefaction and Its Consequences, 2016’**
26 **no longer represents the most recent industry standards for deter-**
27 **mining vulnerability to soil liquefaction triggering and liquefaction**
28 **consequences.”.**

29 **On page 4, after line 18, insert:**

30 **“SECTION 3a. The requirements of sections 2 to 6 of this 2022 Act**

1 do not apply to a bulk oils or liquid fuels terminal to the extent those
2 requirements are preempted by the federal Pipeline Safety Improve-
3 ment Act of 2002, 49 U.S.C. 60101 et seq.”.

4 On page 14, after line 29, insert:

5 **“SECTION 18. (1) Notwithstanding any other provision of law, the**
6 **General Fund appropriation made to the Department of Environ-**
7 **mental Quality by section 1 (3), chapter 673, Oregon Laws 2021, for the**
8 **biennium ending June 30, 2023, for land quality, is increased by \$712,318**
9 **for implementation of the provisions of sections 2 to 6 and 15 of this**
10 **2022 Act.**

11 **“(2) Notwithstanding any other law limiting expenditures, the limi-**
12 **tation on expenditures established by section 4, chapter 423, Oregon**
13 **Laws 2021, for the biennium ending June 30, 2023, as the maximum**
14 **limit for payment of expenses from federal funds collected or received**
15 **by the State Department of Energy, is increased by \$327,996 for im-**
16 **plementation of the provisions of sections 12 and 16 of this 2022 Act.”.**

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

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