

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 488 - A

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

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Measure Description:

Requires municipal solid waste incinerator to limit combustion of hospital, medical or infectious waste in a calendar year.

Government Unit(s) Affected:

Cities, Counties, Department of Environmental Quality, Special Districts Association of Oregon

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

	2023-25 Biennium	2025-27 Biennium
Department of Environmental Quality		
General Fund		
Personal Services	\$101,693	\$0
Services and Supplies	\$16,844	\$0
Total General Fund	\$118,537	\$0
Total Fiscal Impact	\$118,537	\$0
<i>Total Positions</i>	1	0
<i>Total FTE</i>	0.44	0.00

Analysis:

SB 488 - A requires that owners or operators of municipal solid waste incinerators must develop a plan to continuously monitor or sample certain emissions. Where technologically feasible, the plan must provide for use of a continuous emissions monitoring system. The plan must also describe how the owner or operator will conduct continuous monitoring or sampling for 12 consecutive months; and make emissions data available to the Department of Environmental Quality (DEQ) and the public. Plans must be submitted within three months after the effective date of the measure, and DEQ may make modifications to the plan to ensure quality and accurate sampling or monitoring data. Within three months after approval, the plan must be implemented. DEQ is to report to the interim committees of the Legislative Assembly related to the environment by September 15, 2024 on monitoring progress, including data received. No later than three months after the completion of the 12-month period of continuous monitoring or sampling, DEQ is also to submit a report to the committees or interim committees of the Legislative Assembly related to the environment.

The measure places limits on combustion of hospital, medical, or infectious waste, requiring that a municipal solid waste incinerator may not combust more of this type of waste during a calendar year than was combusted in 2022; this is to be reported to and verified by DEQ. DEQ is to ensure that any permit issued under the federal operating permit program is modified to be consistent with this requirement within 12 months of the effective date of the measure.

The measure takes effect on the 91st day after the Legislature adjourns sine die.

DEQ anticipates hiring a limited duration, part-time Environmental Engineer 2 (0.44 FTE in the 2023-25 biennium). The estimated cost is \$118,537 General Fund in the 2023-25 biennium. This position would review and approve the facility plan, sampling plans, and testing and test reports. The agency notes that the position is funded with General Fund as requirements imposed under the bill are not federally enforceable and so are not an eligible expense for Title V fee revenue under the Clean Air Act.

The fiscal impact for cities is indeterminate as a result of the limits on disposal of medical waste, which could drive up costs. Counties do not anticipate a fiscal impact.

This measure warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of its impact on the state's General Fund.