

## HB 2332 STAFF MEASURE SUMMARY

### House Committee On Climate, Energy, and Environment

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**Meeting Dates:** 2/11, 3/18

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#### WHAT THE MEASURE DOES:

The measure prohibits the Oregon Department of Environmental Quality from requiring an air curtain incinerator to have a Title V operating permit under certain circumstances.

#### Detailed summary:

Prohibits the Oregon Department of Environmental Quality, pursuant to the federal operating permit program established under ORS 468A.315, from requiring an air curtain incinerator to have a Title V operating permit if the air curtain incinerator: burns only wood waste, clean lumber, or yard waste; and is not otherwise required to obtain a Title V operating permit under the Clean Air Act or any regulation of the federal Environmental Protection Agency.

Takes effect on the 91st day following adjournment sine die.

- *FISCAL: No fiscal impact*
- *REVENUE: No revenue impact*

#### ISSUES DISCUSSED:

- Rural Oregon land management practices
- Wildfire risk mitigation
- Title V permits
- Air curtain burner air quality standards

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

The federal Clean Air Act (CAA) addresses ambient air quality standards, toxic air pollutants, new source performance standards, and new source review—the latter requiring the best available technology in air pollution control equipment for facilities that are major sources of contaminants. In Oregon, motor vehicles, woodstoves, fireplaces, and open burning are primary sources of manmade air pollution. Industrial facilities are also sources of air pollution in the state.

The U.S. Environmental Protection Agency (U.S. EPA) has delegated implementation of most CAA requirements to the Oregon Department of Environmental Quality (DEQ), except in Lane County where the Lane Regional Air Protection Agency has primary jurisdiction. State air quality laws are codified in ORS chapter 468A. The EPA retains oversight of the program and regularly audits DEQ's program to ensure that it meets federal requirements. The CAA's Title V Operating Permit Program requires each state to develop a comprehensive operating permit program for major industrial sources of air pollution.

An air curtain incinerator (ACI) is a box-like structure that is used to burn wood waste. A curtain of high-velocity air, powered by a diesel fan, is forced into the box over burning debris to enable it to combust more material than would be if it were burned in the open. DEQ issues location-specific permits for ACI; only six companies in Oregon have ACI permits.