

HB 3492 -1 STAFF MEASURE SUMMARY

House Committee On Emergency Management, General Government, and Veterans

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/13, 3/20

WHAT THE MEASURE DOES:

The measure directs the State Department of Geology and Mineral Industries study the risks related to earthquake-induced dispersion of hazardous materials.

Detailed Summary

- Defines primary goals of the study; reporting requirements; allows for the use of modeling, demographic and environmental justice analysis; and estimates of probability to understand possible solutions.
- Allows the department to consult, partner or contract with appropriate entities; allows consultation with state agencies.
- Requires the department to submit a report on their findings to the State Resiliency Officer on or before December 1, 2027; requires a copy of the report be submitted to the Oregon Department of Emergency Management.
- Maintains confidentiality of the report and exemption of disclosure under ORS 192.311 and 192.478; requires the director to review the report and designate portions of the report that may be made public or made available to local emergency management agencies under conditions; requires the director to consider whether dissemination of information may create security concerns.
- Allows the State Resilience Officer, with consultation from the Director, make recommendations based on the information of the report to local emergency managers; allows this information sharing prior to the directors' review and designations are completed.
- Declares emergency, takes effect upon passage.

Fiscal impact: Fiscal impact issued

Revenue impact: No revenue impact

ISSUES DISCUSSED:

- Tier II facilities that have already made some seismic and combustion investments
- Data is needed for emergency managers and planners
- Clarified confidentiality of the study

EFFECT OF AMENDMENT:

-1 Replaces Measure

- Directs the State Department of Geology and Mineral Industries to study risks related to earthquake-induced toxic inhalation.
- Defines primary goals of the study; outlines study requirements; criteria for evaluation; reporting relative findings; and allows the use of modeling.
- Requires the department develop information using publicly available information and data; provide a classification of facilities using risk-informed criteria; requires the consideration of major seismic resiliency improvements, vulnerability, and operational safeguards.
- Requires the department to increase the understanding of solutions including reviewing existing regulatory programs; and conducting policy reviews, literature reviews, and evaluations.

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- Allows the department to consult, partner or contract with appropriate entities; allows consultation with state agencies.
- Allows entities who are identified as a subject of the study, exempt from site-specific reporting if the entity has already shared information with relevant local emergency management agencies for local emergency management plans.
- Requires the department to submit a report on their findings to the State Resiliency Officer on or before December 1, 2027; requires a copy of the report be submitted to the Oregon Department of Emergency Management.
- Maintains confidentiality of the report and exemption of disclosure under ORS 192.311 and 192.478; requires the director to review the report and designate portions of the report that may be made public or made available to local emergency management agencies under conditions; requires the director to consider whether dissemination of the information may create security concerns.
- Requires reasonable notice and opportunity for the facility owners and operators to review information prior to public release; allows owners and operators to request redaction of information if confidential business is divulged, there is a security risk, or the information contradicts local emergency management plans.
- Allows the State Resilience Officer, with consultation from the Director, make recommendations based on the information of the report to local emergency managers; allows for this information sharing prior to the directors' review and designations are completed.
- Requires local emergency management agencies specify when they information from this study.
- Declares emergency, takes effect upon passage.

BACKGROUND:

The Oregon Community Right to Know and Protection Act (ORS 453.307-414) requires Oregon employers report hazardous substances to the Oregon State Fire Marshal (OSFM), including where they are stored and the associated hazards. A hazardous substance is any substance required by Oregon Occupational Health and Safety to have a safety data sheet (SDS), or any substance for which a hazard is identified on any available SDS. According to the current registry there are 13,715 hazardous material storage sites in Oregon.