

HB 4100 STAFF MEASURE SUMMARY

House Committee On Emergency Management and Veterans

Prepared By: Beverly Anderson, LPRO Analyst

Meeting Dates: 2/10

WHAT THE MEASURE DOES:

The measure requires owners or operators of bulk oils and liquid fuels terminals obtain a certificate of financial responsibility from the Department of Environmental Quality (DEQ). It declares an emergency, effective on its passage.

Detailed Summary

- Describes legislative findings
- Provides definitions
- Requires rules be adopted by the Environmental Quality Commission for certificates; describes rule and evaluation requirements
- Limits the commission from requiring a bulk oils or liquid fuels terminal to obtain an amount of financial assurance that is greater than \$300 million
- Allows DEQ to evaluate and adjust the maximum amount of financial assurance no more than once every three years; allows the commission to update rules regarding the minimum amounts of financial assurance; requires the commission to appoint an advisory committee for rulemaking; describes advisory committee membership
- Limits local governments (ORS 174.116) from adopting or enforcing additional financial assurance mechanisms that exceed, or are in addition to, the maximum assurance amount established by the commission in rulemaking
- Requires DEQ to report to interim committees of the Legislative Assembly related to emergency management and the environment; describes reporting requirements
- Prohibits DEQ from evaluating or adjusting the maximum amount of financial assurance of \$300 million before January 1, 2030
- Updates existing statutes related to seismic risk implementation plans and the Seismic Risk Mitigation Fund

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon Revised Statute 468B.510 describes “bulk oils or liquid fuels terminal” as industrial facilities located in Columbia, Multnomah, or Lane County that are primarily engaged in the transport or bulk storage of oils or liquid fuel products and are characterized by having marine, pipeline, railroad or vehicular transport access; transloading facilities for transferring shipments of oils or liquid fuel products between transportation modes; and one or more bulk storage tanks with a combined capacity of two million gallons or more.

The Oregon Environmental Quality Commission is a five-member panel appointed by the governor of Oregon for four-year terms to serve as DEQ’s policy and rulemaking board. In addition to adopting rules, the commission also establishes policies, issues orders, judges appeals of fines or other DEQ actions and appoints the DEQ director.