

Senate Bill 995

Sponsored by Senators RILEY, GELSER; Senators DEMBROW, FREDERICK, MANNING JR, TAYLOR, Representatives BARNHART, HELM, HOLVEY, MARSH, MCLAIN, NOSSE, POWER, SOLLMAN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires employer operating certain facility to submit annual materials balance report on facility's input and output of hazardous materials to Department of Environmental Quality. Allows department to adopt rules and impose civil penalty for violation.

A BILL FOR AN ACT

1
2 Relating to hazardous materials.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Employer" means:**

6 (A) **Any person operating a facility that is included in one or more of the 21 standard**
7 **industrial classification categories in Appendix B of the Natural Resources Defense Council**
8 **v. Train Consent Decree of June 8, 1976 (8 E.R.C. 2120); or**

9 (B) **Any person operating a facility designated by the Department of Environmental**
10 **Quality.**

11 (b) **"Hazardous substance" means:**

12 (A) **Any substance designated as hazardous by the Director of the Department of Con-**
13 **sumer and Business Services or by the Department of Environmental Quality;**

14 (B) **Any substance for which a material safety data sheet as defined in ORS 453.396 is**
15 **required by the Department of Consumer and Business Services and which appears on the**
16 **list of Threshold Limit Values for Chemical Substances and Physical Agents in the Work**
17 **Environment by the American Conference of Governmental Industrial Hygienists; or**

18 (C) **Radioactive waste and material as defined in ORS 469.300 and radioactive substance**
19 **as defined in ORS 453.005.**

20 (2) **An employer shall submit an annual materials balance report for each facility oper-**
21 **ated by the employer to the Department of Environmental Quality. The report must:**

22 (a) **Indicate the weight in pounds of the facility's input and output of hazardous sub-**
23 **stances to the smallest accounting unit; and**

24 (b) **Demonstrate that the facility's input and output of hazardous substances are equal.**

25 (3) **The department may impose a civil penalty for violation of this section and the rules**
26 **adopted under this section. The penalty may not exceed \$500 per day for each violation.**

27 (4) **The department may adopt rules as necessary to implement this section.**
28

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.