



Testimony in Support of Senate Bill 792
Senate Committee on Environment and Natural Resources

Speaker of the House Tina Kotek
April 4, 2019

Chair Dembrow, members of the committee, thank you for the opportunity to testify in support of Senate Bill 792 and the -8 amendment.

The last time I testified before this committee three weeks ago, I spoke about the -4 amendment that would give the Department of Motor Vehicles (DMV) the ability to work with the Department of Environmental Quality (DEQ) to increase oversight of auto dismantler facilities.

Since the last hearing, we heard from different stakeholders and have added to the -4 amendment. As you may remember, Multnomah County Health Officer, Dr. Paul Lewis, testified that the stacks of tires at NW Metals increased the damage and health hazards from the fire. Another issue raised that has been addressed in the -8 amendment is about the limited amount of bonding required for auto dismantlers.

The -8 amendment that I present to the committee today would:

- Require all auto dismantlers to have a waste tire permit if they hold more than 100 tires on site.
 - Auto dismantlers are currently allowed to have up to 1,500 tires on site before needing a waste tire permit.
 - Allows for DEQ to have yearly visits to facilities with a waste tire permit.
 - Waste tire permit applications include an operations plan for the site, a contingency plan to minimize damage from fire or other emergencies at the site, and financial assurance in an amount determined by DEQ.
 - If an auto dismantler has less than 100 tires stored on site, no waste tire permit is required.
- Ensure communities are notified before local jurisdictions approve the expansion or relocation of an auto dismantler facility.
- Increase the current bond required for auto dismantlers to \$100,000 by amending ORS 822.120. The current bond level is \$10,000.

- Give the DMV guidance on what to look for while performing yearly inspections, which will be reported to DEQ.
 - A report to the DEQ must include information about the following items on the premises:
 - The presence of piled waste tires, in an amount greater than 100 waste tires;
 - If there is a metal shredder;
 - If there are any open or unlabeled containers of automotive fluids, and;
 - If there is an underground injection control.
- Give the DMV authority to reject the auto dismantler's application if the fire response plan is inadequate, and report to DEQ if the local fire inspector's report identifies risk.
- Expand the criminal violations that the DMV can use to revoke or suspend an auto dismantler certificate to include second degree offenses.
- Require annual local fire inspections of auto dismantler facilities.
- Allow the DMV to inspect auto dismantler facilities every two years, instead of annually, if the three most recent, consecutive inspections show that the business is in compliance with subsection (2)(a) to (d).
- Remove the section referencing solid waste permit, which no longer applies.

Our existing regulation of auto dismantlers puts our communities near these facilities at risk. We need stronger inspection requirements to help ensure we don't have more incidents like the one that occurred in my district in March 2018, when a fire that started at an auto dismantling facility destroyed four homes, killed at least 16 pets and resulted in significant financial losses for nearby businesses and residents.

This legislation gives us an opportunity to address some of the regulatory gaps for this industry. We will use the information gathered by the DMV and DEQ for future conversations to ensure that no other community in Oregon has to face a fire like the one the Cully neighborhood experienced last year.

Thank you for your time.