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On Behalf Of:	MultCo Dems Climate Action Team and AfDPDX
Committee:	Senate Committee On Energy and Environment
Measure:	SB1567

February 6, 2022

Subject: SB1567 - Relating to energy infrastructure resilience
To: Chair Lieber, Vice Chair Findlay, members of the Energy and Environment committee

SB1567 is an essential step toward preparation for a major Cascadia Subduction Zone (CSZ) seismic event. It begins the process of study and design for containing hazardous stored substances and preserving their availability for mitigation of anticipated widespread damage to infrastructure and environment.

This bill now has noticeably less focus on the potential for severe environmental damage, presumably on the assumption of successful containment by retrofitting and reconstruction.

We have no doubt that the DEQ and DOE will bring the best possible engineering talent to the planning, design, and construction. But no large and complex system can be expected to work perfectly on first use, and it is not possible even to test it against the event for which it is designed. We still need to be prepared for massive quantities of hazardous substances escaping containment.

The focus of SB1567 and much of the testimony seen thus far is focused on preserving access to fossil fuels to support functional recovery, with little emphasis on the extreme environmental damage and loss of life that a partial release can inflict.

We therefore urge the passage of SB 1567, strengthened to include the study and design of secondary containment areas capable of withstanding the powerful anticipated shaking and site liquefaction. Such areas must be able to contain and isolate fire in any possible liquid release. Though such captured liquids would not be immediately suitable for emergency use, the adjacent and downstream lands and waterways need to be protected against catastrophic long-term destruction.

In addition to secondary containment, which could be in place while building the longer-term and more complex storage and handling infrastructure, there are other ways in which SB 1567 should be strengthened.

Vulnerability assessments should not be limited to fossil fuels and oils, but apply to a broader definition of toxic, flammable, or otherwise dangerous materials including gases and anything that can react with the environment to produce hazardous substances.   Chlorine, ammonia, or any number of industrial precursor chemicals would be at least as devastating as aviation fuel. Of special concern is the Critical Energy Infrastructure site on the Willamette River which has enough storage for LNG (liquid natural gas) to cause a catastrophic explosion unlike anything we have ever

seen. The seismic strengths of these facilities are truly critical. Their assessment and redesign cannot fall through the cracks.

Furthermore, SB 1567 now appears to exempt facilities holding less than two million gallons of liquids. This may well reflect focusing on fuel supply rather than environmental protection. While the collapse of tanks holding a million gallons might not seriously impact fuel supplies, it will mean irreversible damage that could be prevented. The proposed studies should determine an appropriate limit.

Penalties need to be defined for owners and operators who fail to produce credible vulnerability assessments by the specified dates.   This or subsequent legislation will also need to address bonding and insurance requirements for owners and operators, as proof of financial responsibility if facilities should fail.

Finally, it must be stated that nothing in this bill precludes subsequent legislation from modifying and improving infrastructure requirements as indicated by experience and lessons learned.

As SB 1567 now stands, it is necessary legislation. We urge its passage. However, we would feel much more secure about Oregon's ability to gracefully survive a major CSZ event if the bill is strengthened.

Sincerely,

Ethan Scarl

The Climate Action Team of the Multnomah County Democrats

The Portland Alliance for Democracy