

**FISCAL IMPACT OF PROPOSED LEGISLATION****Measure: SB 488 - 5**

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

*Only Impacts on Original or Engrossed Versions are Considered Official*

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**Measure Description:**

Requires municipal solid waste incinerator to limit combustion of hospital, medical or infectious waste in a calendar year.

**Government Unit(s) Affected:**

Cities, Counties, Department of Environmental Quality, Special Districts Association of Oregon

**Summary of Fiscal Impact:**

Costs related to the measure may require budgetary action - See analysis.

**Summary of Expenditure Impact:**

	2023-25 Biennium	2025-27 Biennium
<b>Department of Environmental Quality</b>		
<b>General Fund</b>		
Personal Services	\$101,693	\$116,220
Services and Supplies	\$16,844	\$19,250
<b>Total General Fund</b>	<b>\$118,537</b>	<b>\$135,470</b>
<b>Total Fiscal Impact</b>	<b>\$118,537</b>	<b>\$135,470</b>
<i>Total Positions</i>	1	1
<i>Total FTE</i>	0.44	0.50

**Analysis:**

SB 488 - 5 requires that owners or operators of municipal solid waste incinerators must perform certain air contaminant monitoring or testing. Owners or operators must also develop a monitoring or testing plan, consistent with federal and state rules, that is approved by the Department of Environmental Quality (DEQ) and includes an explanation of how emissions data will be made publicly available. The measure also places limits on combustion of hospital, medical, or infectious waste.

DEQ is to ensure that any permit issued under the federal operating permit program is modified to be consistent with monitoring requirements within 12 months of the effective date of the measure; and an owner or operator must begin monitoring and testing no later than nine months after the date that permit modifications are effective. The measure takes effect on the 91st day after the Legislature adjourns sine die.

DEQ anticipates hiring one permanent, part-time Environmental Engineer 2 (0.44 FTE in the 2023-25 biennium, 0.50 FTE in the 2025-27 biennium). The estimated cost is \$118,537 General Fund in the 2023-25 biennium, and \$135,470 General Fund in the 2025-27 biennium. This position would review and approve standard operating procedures, quality assurance plans, sampling plans, and testing and test reports. The agency notes that the position is funded with General Fund as requirements imposed under the bill are not federally enforceable and so are not an eligible expense for Title V fee revenue under the Clean Air Act.

The League of Oregon Cities has an indeterminate cost related to limits on disposal of medical waste, which could drive up costs. The Association of Oregon Counties notes that should this measure impact operation of the Covanta incinerator in Marion County, this could require county law enforcement agencies and health agencies to ship certain types of waste, such as medical waste, to disposal facilities outside of state which could increase costs. Closure of the incinerator would also eliminate franchise revenue received by Marion County.

This measure warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of its impact on the state's General Fund.