

SB 488 A STAFF MEASURE SUMMARY

Senate Committee On Energy and Environment

Action Date: 04/04/23

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 3-2-0-0

Yeas: 3 - Golden, Lieber, Sollman

Nays: 2 - Findley, Hayden

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Beth Reiley, LPRO Analyst

Meeting Dates: 3/7, 4/4

WHAT THE MEASURE DOES:

Requires owner or operator of municipal solid waste incinerator to develop plan to continuously monitor, where technologically feasible, or use continuous automated sampling system for, specified emissions. Requires plan to describe how operator will conduct monitoring or sampling for 12 consecutive months and to make emissions data available to Department of Environmental Quality (DEQ) and public. Requires plan be submitted to DEQ within three months of Act's effective date. Authorizes DEQ to make modifications to plan to ensure quality and accuracy of sampling and monitoring data prior to plan approval. Requires operator to implement plan within three months of approval. Prohibits municipal solid waste incinerator from combusting more hospital, medical, or infectious waste during single calendar year than amount they combusted during 2022. Requires DEQ to take reasonable steps to ensure operating permit is modified to be consistent with Act within 12 months of Act taking effect. Requires DEQ to submit report no later than September 15, 2024 on progress toward implementing Act. Requires DEQ to submit report on results of continuous monitoring or sampling and any recommendations for legislation to interim legislative committee on environment within three months of the completed 12 months of monitoring or sampling. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Cleaner Air Oregon program process
- Federal standards for infectious waste incinerators
- Origin of medical waste incinerated at Covanta Marion, Inc.

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

In August of 1997, the U.S. Environmental Protection Agency (EPA) promulgated regulations creating more stringent emission standards for medical waste incinerators due to concerns over air quality affecting human health. Prior to standards being adopted, more than 90 percent of potentially infectious medical waste was incinerated. In Oregon, there were 50 hospitals operating infectious waste incinerators, all of which subsequently closed. According to the Oregon Department of Environmental Quality (DEQ), all of Oregon's infectious waste is currently transported to treatment facilities in Washington and Oregon. Potential alternatives to incineration of medical waste include the following: thermal treatment, steam sterilization, electropyrolysis, and chemical mechanical systems, among others. Generally, alternative treatments are used to render the medical waste noninfectious, allowing it to be disposed of as solid waste.

SB 488 A STAFF MEASURE SUMMARY

In 1993, the Environmental Quality Commission adopted air quality requirements for incinerators. Oregon's only municipal waste incinerator, Covanta Marion, Inc., (Covanta) operates under a solid waste permit issued by the DEQ, which authorizes Covanta to incinerate some infectious waste.

In 2018, the Oregon Legislative Assembly passed Senate Bill 1541, that established the Cleaner Air Oregon program. Covanta is required to participate in the Cleaner Air Oregon program and submitted their emissions inventory to DEQ in October 2022. According to DEQ, the next steps are to complete a modeling protocol, risk assessment work plan, and risk assessment.

Senate Bill 488 A would limit the amount of hospital, medical, or infectious waste accepted by a municipal solid waste incinerator to not exceed the amount they had collected in 2022. In addition, the Act would require municipal solid waste incinerators to develop a plan to continuously monitor, where technologically feasible, or use continuous automated sampling system for, specified emissions for 12 months.