

Requested by Senator PATTERSON

**PROPOSED AMENDMENTS TO
SENATE BILL 488**

1 In line 2 of the printed bill, before the period insert “; and prescribing
2 an effective date”.

3 Delete lines 5 through 23 and insert:

4 **“SECTION 2. (1) As used in this section:**

5 **“(a) ‘Hospital, medical or infectious waste’ means hospital waste
6 or medical/infectious waste, as those terms are defined in 40 C.F.R.
7 60.51c, as in effect on the effective date of this 2023 Act.**

8 **“(b) ‘Large hospital, medical or infectious waste incinerator’ means
9 a large HMIWI, as defined in 40 C.F.R. 60.51c, as in effect on the ef-
10 fective date of this 2023 Act.**

11 **“(c) ‘Medium hospital, medical or infectious waste incinerator’
12 means a medium HMIWI, as defined in 40 C.F.R. 60.51c, as in effect
13 on the effective date of this 2023 Act.**

14 **“(d) ‘Municipal solid waste incinerator’ means any facility operated
15 before, on or after the effective date of this 2023 Act for the purpose
16 of combusting municipal solid waste, regardless of whether the facility
17 is later reclassified as another type of waste combustion facility.**

18 **“(2) As a condition of a permit under the federal operating permit
19 program established under ORS 468A.310, a municipal solid waste
20 incinerator that combusts:**

21 **“(a) Hospital, medical or infectious waste at a quarterly average**

1 rate of more than 500 pounds per hour must meet the emissions stan-
2 dards set forth in 40 C.F.R. 60.52c, as in effect on the effective date of
3 this 2023 Act, applicable to large hospital, medical or infectious waste
4 incinerators for which construction was commenced after December
5 1, 2008.

6 “(b) Hospital, medical or infectious waste at a quarterly average
7 rate of more than 200 but less than or equal to 500 pounds per hour
8 must meet the emissions standards set forth in 40 C.F.R. 60.52c, as in
9 effect on the effective date of this 2023 Act, applicable to medium
10 hospital, medical or infectious waste incinerators for which con-
11 struction was commenced after December 1, 2008.

12 “(3)(a) The Environmental Quality Commission may adopt rules
13 necessary to implement this section.

14 “(b) Notwithstanding the emissions standards described in sub-
15 section (2) of this section, the commission may adopt more stringent
16 emissions standards applicable to a facility described in subsection (2)
17 of this section if:

18 “(A) The emissions standards are warranted by public health con-
19 siderations or other scientific evidence; or

20 “(B) The United States Environmental Protection Agency adopts
21 more stringent standards applicable to large hospital, medical or in-
22 fectious waste incinerators or medium hospital, medical or infectious
23 waste incinerators and the standards adopted by the commission con-
24 form to those standards.

25 **“SECTION 3. (1) The Department of Environmental Quality shall**
26 **modify any existing permits to comply with section 2 of this 2023 Act**
27 **no later than July 1, 2024.**

28 **(2) On or after July 1, 2026, the department may not renew an air**
29 **discharge permit for a facility described in section 2 of this 2023 Act**
30 **if the facility is not in compliance with a modified permit issued under**

1 subsection (1) of this section.

2 **“SECTION 4. This 2023 Act takes effect on the 91st day after the**
3 **date on which the 2023 regular session of the Eighty-second Legislative**
4 **Assembly adjourns sine die.”**

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