



March 7, 2023

Chair Sollman, Vice-Chair Findley and Members of the Committee,

The Oregon Refuse and Refuse and Recycling Association (ORRA) and the League of Oregon Cities (LOC) only recently became aware that there may be unintended consequences if, as a result of the passage of SB 488, Covanta is no longer able to accept and dispose of infectious waste, which is defined at ORS 459.386(4) as, “biological waste, cultures and stocks, pathological waste and sharps.” ORRA members, in their role as essential service providers provide solid waste services on behalf of cities and counties across the state including collecting and transporting infectious waste for disposal. Pathological waste is required by statute (ORS 459.395) to be incinerated.

Covanta is the only facility in Oregon that incinerates infectious waste. If Covanta is no longer able to accept infectious waste, this could result in potential greater health and safety risks if the waste is required to be transported longer distances. It is our understanding that the closest facility that would be able to accept the waste is located in Kansas, and it is uncertain whether that facility has the capacity to take the infectious waste. If the Kansas facility cannot take the infectious waste, the next option would be on the East Coast. In addition to potential health and safety risks related to transporting these materials longer distances, this creates a bigger carbon footprint. An even greater policy concern is the social responsibility question of passing Oregon’s infectious waste along to another state for disposal. Finally, requiring the infectious waste to be disposed of elsewhere would likely also result in increased costs that would be borne by Oregon ratepayers.

As we began to look into the statutory requirements and questions about what disposal alternatives may exist if Covanta is no longer able to accept infectious waste, it became clear that this is a very complex issue that involves multiple regulatory agencies, including the Oregon Department of Environmental Quality, Oregon Health Authority, and Oregon Department of Transportation. Each agency has a role in regulating infectious waste and at this point there are more questions than answers about where and how this waste would continue to be disposed of if SB 488 passes.

More time is needed to adequately understand the potential consequences and identify viable alternatives if Covanta is no longer able to accept infectious waste. LOC and ORRA respectfully

ask that the committee take the time to work through these issues before moving the bill forward. In the meantime, we are committed to continuing to work to unravel the complexities of understanding the multiple agency and interstate challenges this bill presents and would like to participate in any conversations convened to seek solutions to these challenges.

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