HB 4049 A STAFF MEASURE SUMMARY

House Committee On Agriculture, Land Use, Natural Resources, and Water

Action Date:	02/13/24
Action:	Do pass with amendments and be referred to Ways and Means by prior reference. (Printed A-Eng.)
Vote:	8-0-1-0
Yeas:	8 - Boice, Gamba, Hartman, Helm, Levy B, Marsh, McLain, Scharf
Exc:	1 - Owens
Fiscal:	Fiscal impact issued
Revenue:	No revenue impact
Prepared By:	Anna Glueder, LPRO Analyst
Meeting Dates:	2/8, 2/13

WHAT THE MEASURE DOES:

The measure appropriates $740,000 from the General Fund for distribution to Oregon State University (OSU) and requires the OSU Extension Service and the OSU College of Agricultural Sciences (CAS) in collaboration with the Oregon Department of Environmental Quality and Oregon wastewater service providers to study the occurrence and distribution of perfluoroalkyl and polyfluoroalkyl found in biosolids applied to agricultural fields that do not produce crops intended for human consumption. The measure also requires the OSU Extension Service and CAS to submit a progress report and a final report to agriculture-related interim committees of the Legislative Assembly by December 15, 2025, and September 1, 2027, respectively.

Detailed Summary

Requires the Oregon State University (OSU) Extension Service and the OSU College of Agricultural Sciences (CAS) to study the occurrence and distribution of perfluoroalkyl and polyfluoroalkyl (PFAS) found in biosolids applied to agricultural fields that are not intended for human consumption.

I. Study requirements

- Requires the OSU Extension Service and CAS to collaborate with the Oregon Department of Environmental Quality and Oregon wastewater service providers.
- Requires the study to identify **PFAS concentrations in selected biosolids** from selected wastewater treatment facilities in Oregon.
- Requires the study to identify **PFAS concentrations in the soil profiles** of selected adjacent fields—one with and one without a history of biosolid application.
- Requires the study to utilize results to determine the **quantities of PFAS retained within and leached from soil profiles**.
- Requires the study to identify **PFAS concentrations in the crops** analyzed in this study.
- Requires **all specified study results to be quantified.**
- Specifies study participation to be voluntary by wastewater treatment service providers, farmers, landowners, and land managers.
- Requires the OSU Extension Service and CAS to, where possible, use data collection methods that **do not disclose precise study locations and participant identities**, and requires **all identifying data to be reported in a summarized or aggregated fashion** that does not disclose the location or ownership of studied agricultural fields or wastewater treatment facilities.

II. Reporting requirements

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- Requires the OSU Extension Service and CAS to submit a progress report and a final report to agriculture-related interim committees of the Legislative Assembly by December 15, 2025, and September 1, 2027, respectively, and specifies the required report content.

IIII. Appropriation

- Appropriates $740,000 from the General Fund to the Higher Education Coordinating Commission for distribution to OSU.

IV. Sunset and effective date

- Sunsets January 2, 2028.
- Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Spatial extent of the study
- Crop types involved in the study
- Scope and protocol of the analysis

EFFECT OF AMENDMENT:

The amendment modifies certain study and reporting requirements, limits the study to biosolids applied to agricultural fields that do not produce crops intended for human consumption, and specifies that study participation by wastewater treatment service providers, farmers, landowners, and land managers is voluntary. It directs the OSU Extension Service and CAS to, to the greatest extent possible, collect and report data in a fashion that does not disclose precise study locations and participant identities. The amendment changes the appropriation to $740,000 and moves the sunset to January 2, 2028.

Detailed Summary

Requires the study to be **statewide** and limits it to biosolids applied to agricultural fields **that do not produce crops intended for human consumption**.

Removes the following study requirements:

- Comparing PFAS concentrations in selected agricultural fields where biosolids have been added to the soil.
- Examining the potential for PFAS to leach into ground water.
- Examining PFAS uptake in various crops in Oregon.

Adds the following study requirements:

- Identifying and quantifying PFAS concentrations in the soil profiles of selected adjacent fields — one with and one without a history of biosolid application.
- Utilizing results to determine the quantities of PFAS retained within and leached from soil profiles.
- Identifying and quantifying PFAS concentrations in the crops analyzed in this study.

Directs the study to **quantify all required results**. Specifies **study participation to be voluntary** by wastewater treatment service providers, farmers, landowners, and land managers. Requires the OSU Extension Service and CAS to, where possible, use **data collection methods that do not disclose precise study locations and participant identities**, and requires **all identifying data to be reported in a summarized or aggregated fashion** that does not disclose the location or ownership of studied agricultural fields or wastewater treatment facilities. **Changes the reporting requirement** to a progress report and a final report to be presented to agriculture-related interim committees of Legislative Assembly by December 15, 2025, and September 1, 2027, respectively. Requires the final report to include PFAS concentrations in biosolids, background and biosolid-amended soil horizons, as well as in crops grown on biosolid-amended soils, and comparisons to published literature for context and interpretation. **Changes the appropriation** from $500,000 to $740,000 **and moves the sunset** from January 2, 2026, to January 2, 2028.

BACKGROUND:

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Perfluoroalkyl and polyfluoroalkyl (PFAS) are human made, have been used in a variety of industrial processes and consumer products since the 1940s, and can, among other places, be found in fertilizers derived from biosolids. PFAS are also referred to as "forever-chemicals" as some of their components break down very slowly over time. Current scientific research suggests that exposure to high levels of certain PFAS may lead to adverse health outcomes. However, research is still ongoing to determine how different levels of exposure to different PFAS can lead to a variety of health effects. A 2013-2015 analysis of major public drinking water systems found no detection of PFAS in Oregon’s public drinking water systems.