

A-Engrossed House Bill 4044

Ordered by the House February 12
Including House Amendments dated February 12

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Emergency Management, General Government, and Veterans for Representative Dacia Grayber)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act tells the DEQ to study risks related to toxic inhalation caused by earthquakes. The DEQ must submit a report on its study to the Legislative Assembly by December 1, 2024. The Act takes effect as soon as it is passed. (Flesch Readability Score: 61.6).

Directs the Department of Environmental Quality to study risks and issues relating to earthquake-induced toxic inhalation. Requires the department to submit a report on the study to a committee of the Legislative Assembly by December 1, 2024. Authorizes the department to submit recommendations for legislation to the committee by March 1, 2025.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to seismic hazards; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Department of Environmental Quality shall study risks and issues**
5 **related to earthquake-induced toxic inhalation. The department may use any appropriate**
6 **methodology or methodologies to carry out the study.**

7 **(2) In carrying out the study, the department shall seek to:**

8 **(a) Increase understanding of the scale and extent of such hazards by:**

9 **(A) Identifying areas of concern by looking at geographic areas with the highest seismic**
10 **risk;**

11 **(B) Identifying highest risk facilities within seismic risk zones, using appropriate criteria**
12 **such as the Toxic (Operational) Hazard Score developed by the U.S. Naval Research Labora-**
13 **tory; and**

14 **(C) Reporting on the statewide number of facilities of concern and their geographic dis-**
15 **tribution, along with any relevant findings from this inquiry;**

16 **(b) By modeling various scenarios, increase understanding of the potential impact on**
17 **immediate areas, workers and surrounding populations in the event of uncontrolled release**
18 **of hazardous material from identified facilities resulting from an earthquake, including de-**
19 **veloping information on the following:**

20 **(A) Projected paths of movement of hazardous material and the severity of its effects,**
21 **as may vary according to region, season and other conditions;**

22 **(B) Proximity of facilities of concern to populations who would be most at risk from an**
23 **uncontrolled release, and estimated total population who would be most at risk;**

24 **(C) Where possible using publicly available information, demographic analysis of the im-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **pacted populations most at risk using an environmental justice analysis; and**

2 **(D) Where possible using publicly available information, estimates on probability of un-**
3 **controlled release of hazardous material based on a facility's current state of seismic read-**
4 **iness; and**

5 **(c) Increase understanding of possible solutions to such hazards by:**

6 **(A) Completing a policy review of seismic requirements and mitigation programs in other**
7 **jurisdictions that address earthquake-induced toxic inhalation; and**

8 **(B) Completing a literature review of mitigation solutions and obtaining an engineering**
9 **review of such solutions.**

10 **(3) The department may consult, partner or contract with any appropriate entity in car-**
11 **rying out the study. The department and other involved entities may consult with state**
12 **agencies to define the scope of high-risk facilities for purposes of the study.**

13 **(4) On or before December 1, 2024, the department shall submit a report on the findings**
14 **of the study to the interim committees of the Legislative Assembly related to emergency**
15 **management.**

16 **(5) On or before March 1, 2025, the department may submit recommendations for legis-**
17 **lation to the standing or interim committees of the Legislative Assembly related to emer-**
18 **gency management.**

19 **SECTION 2. Section 1 of this 2024 Act is repealed on January 2, 2026.**

20 **SECTION 3. This 2024 Act being necessary for the immediate preservation of the public**
21 **peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect**
22 **on its passage.**