

HB 2384 -1, -2 STAFF MEASURE SUMMARY

House Committee On Emergency Management, General Government, and Veterans

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Meeting Dates: 3/4, 4/8

WHAT THE MEASURE DOES:

The measure extends the sunset date for fees related to the High Hazard Train Route Oil Spill Preparedness Fund and the Oil and Hazardous Material Transportation by Rail Action Fund to January 2, 2029.

ISSUES DISCUSSED:

- Description of programs, examples of how fees are used
- Questions about the initial timeline and why the extension is needed
- Concerns about the wider definitions of oil types in the current statutes

EFFECT OF AMENDMENT:

- 1 Extends the sunset date for both funds to July 1, 2029.
- 2 Replaces measure.
 - Changes the definition of oil to mean materials identified by the United Nations numbers UB 1267 or North American number NA1270; effective January 1, 2025.
 - Changes the definition of 'tank railroad car' to limit that term to 20 or more tank railroad cars that are loaded with oil owned by the same owner.
 - Extends the sunset date for both funds to July 1, 2029.

BACKGROUND:

House Bill 3225 (2015) required the State Fire Marshall to adopt a plan for coordinated response to an oil or hazardous material spill or release that could occur during rail transport and established the Oil and Hazardous Material Transportation by Rail Action Fund (ORS 453.394).

House Bill 2209 (2019) gave the Department of Environmental Quality the authority to create rules requiring railroads transporting oil to prepare spill response plans and established the High Hazard Train Route Oil Spill Preparedness Fund (ORS 468B.435). The rules apply to railroads considered to be "high hazard rail" because they are within a quarter mile of waters of the state and have trains traveling over them with more than 20 tank cars loaded with oil in a continuous block, or 35 tank cars loaded with oil distributed through the length of a train.