

# House Bill 2765

Sponsored by Representative EVANS (Pre-session filed.)

## 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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act tells DEQ to create a grant program to prevent fuel spills. (Flesch Readability Score: 96.0).

Directs the Department of Environmental Quality to develop and maintain a grant program to prevent spills at fuel facilities.

Establishes the Fuel Spills Mitigation Fund.

## A BILL FOR AN ACT

1  
2 Relating to a grant program to prevent fuel spills.

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

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

5 (a) **"Eligible applicant" means:**

6 (A) **An airport, as defined in ORS 836.005;**

7 (B) **A port, as defined in ORS 777.005;**

8 (C) **A transportation facility where fuels are stored; or**

9 (D) **Other priority facilities where there is a high risk of fuel spills, as determined by the**  
10 **Environmental Quality Commission by rule.**

11 (b) **"Fuel" includes gasoline, crude oil, fuel oil, diesel oil or similar petroleum products**  
12 **used for transportation or heating.**

13 (c) **"Fuel facility" means a pipeline or any structure, group of structures, equipment or**  
14 **device that is used for producing, storing, handling, transferring, processing or transporting**  
15 **fuel.**

16 (d) **"Hardening" includes repairing, replacing or upgrading the structural components of**  
17 **a fuel facility or carrying out other activities for the purpose of making fuel facilities more**  
18 **resilient to man-made or natural disasters or otherwise preventing fuel spills.**

19 (2) **The Department of Environmental Quality shall develop and administer a Fuel Spills**  
20 **Mitigation program to provide grants to eligible applicants for hardening fuel facilities.**

21 (3) **Eligible applicants shall submit grant applications to the department in the form and**  
22 **manner prescribed by the department. The department shall rank applications based on the**  
23 **criteria established under subsection (4) of this section and award grants based on rankings**  
24 **and available funds. If the department denies a grant application, the department shall pro-**  
25 **vide the reason for the denial to the eligible applicant in writing.**

26 (4)(a) **The commission shall establish by rule criteria for ranking grant applications under**  
27 **the grant program. Criteria shall include, but need not be limited to:**

28 (A) **The level of need for the requested hardening activities, as demonstrated by the eli-**  
29 **gible applicant;**

**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       **(B) The risk that fuel spills from the eligible applicant’s fuel facilities would pose to hu-**  
2 **man health and the environment; and**

3       **(C) Whether the applicant has an alternative means of funding the hardening activities.**

4       **(b) The commission shall adopt rules to implement the grant program. Rules adopted**  
5 **under this paragraph shall include, but need not be limited to:**

6       **(A) The identification of priority facilities where there is a high risk of fuel spills;**

7       **(B) Policies and procedures for the grant application process;**

8       **(C) Terms and conditions of grant agreements entered into by the department and grant**  
9 **recipients; and**

10       **(D) Procedures for verifying that grant funds have been used for the purposes for which**  
11 **they were awarded.**

12       **SECTION 2.** **The Fuel Spills Mitigation Fund is established in the State Treasury, sepa-**  
13 **rate and distinct from the General Fund. Interest earned by the Fuel Spills Mitigation Fund**  
14 **shall be credited to the fund. Moneys in the fund are continuously appropriated to the De-**  
15 **partment of Environmental Quality for the purpose of carrying out section 1 of this 2025 Act.**