

HOUSE AMENDMENTS TO HOUSE BILL 3492

By COMMITTEE ON EMERGENCY MANAGEMENT, GENERAL GOVERNMENT, AND
VETERANS

March 28

1 On page 1 of the printed bill, delete lines 4 through 27 and delete page 2 and insert:

2 **“SECTION 1. (1) The State Department of Geology and Mineral Industries shall study**
3 **risks related to earthquake-induced toxic inhalation. The department may use any appropri-**
4 **ate industry-standard methodology or methodologies to carry out the study.**

5 **“(2) The goal of the study is to compile data and information on the potential uncon-**
6 **trolled release of hazardous materials into surrounding communities in the event of a cat-**
7 **astrophic seismic event, in order to assist local emergency management agencies in creating**
8 **and improving emergency response plans.**

9 **“(3) In carrying out the study, the department shall seek to:**

10 **“(a) Increase understanding of the scale and extent of risks related to earthquake-**
11 **induced dispersion of respirable hazardous materials by:**

12 **“(A) Identifying areas of concern by looking at geographic areas with the highest seismic**
13 **hazard;**

14 **“(B) Identifying the highest risk facilities within seismic hazard zones, using appropriate**
15 **criteria such as the Toxic (Operational) Hazard Score developed by the U.S. Naval Research**
16 **Laboratory, taking into consideration the relative quantities and toxicity of hazardous ma-**
17 **terials at a site; and**

18 **“(C) Reporting on the statewide number of facilities of concern and their geographic**
19 **distribution, along with any relevant findings from this inquiry;**

20 **“(b) By modeling various representative scenarios, increase understanding of the poten-**
21 **tial impact on immediate areas, workers and surrounding populations in the event of un-**
22 **controlled release of hazardous material from identified facilities resulting from an**
23 **earthquake, including developing information on the following:**

24 **“(A) Using publicly available information where possible, and using verified data from**
25 **facility operators where feasible, classification of facilities by potential for uncontrolled re-**
26 **lease of hazardous material based on a facility’s seismic readiness, using reasonable, risk-**
27 **informed criteria and taking into consideration any major seismic resiliency improvements**
28 **made to a facility, seismic vulnerability safeguards and operational safeguards;**

29 **“(B) For highest-risk facilities, projected paths of movement of hazardous material and**
30 **the severity of its effects, as may vary according to region, season and other conditions;**

31 **“(C) Proximity of facilities of concern to populations who would be most at risk from an**
32 **uncontrolled release, and estimated total population who would be most at risk;**

33 **“(D) Where possible using publicly available information, demographic analysis of the**
34 **impacted populations most at risk; and**

35 **“(E) Comparison of the risk associated with release of hazardous material with risks**

1 from other recent and similar seismic events; and

2 “(c) Increase understanding of possible solutions to such hazards by:

3 “(A) Conducting a review of existing regulatory programs to which relevant facilities are
4 subject;

5 “(B) Conducting a policy review of seismic requirements and mitigation programs in
6 other jurisdictions that address relevant risks and issues;

7 “(C) Conducting a literature review of mitigation solutions and obtaining an engineering
8 review of such solutions; and

9 “(D) Evaluating the realistic risk reduction potential of various mitigation measures.

10 “(4) The department may consult, partner or contract with any appropriate entity in
11 carrying 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 “(5) If an entity identified as a subject of this study demonstrates, and the relevant local
14 emergency management agency confirms, that the entity has already shared the relevant
15 information identified in the scope of the study with the local emergency management
16 agency for incorporation into local emergency response plans, the entity is exempt from
17 site-specific reporting and shall be included in aggregated results in the report on the study,
18 and the report must identify the entity as being exempted on such grounds.

19 “(6) On or before December 1, 2027, the department shall submit a report on the findings
20 of the study to the State Resilience Officer. At the time the department submits the report
21 to the State Resilience Officer, the department shall submit a copy of the report to the Di-
22 rector of the Oregon Department of Emergency Management to conduct the review described
23 in section 2 of this 2025 Act.

24 “SECTION 2. (1) The report prepared under section 1 of this 2025 Act and all materials
25 prepared or obtained in connection with the report are confidential, exempt from disclosure
26 under ORS 192.311 to 192.478 and may not be distributed to any parties other than the State
27 Department of Geology and Mineral Industries, the State Resilience Officer and the Director
28 of the Oregon Department of Emergency Management, except as otherwise provided in this
29 section.

30 “(2) The director shall review the report and designate portions that may be made pub-
31 licly available, including disclosure under ORS 192.311 to 192.478, and portions that may be
32 transmitted to local emergency management agencies under the condition that such agencies
33 hold such portions confidential. Portions of the report may be distributed in accordance with
34 such designations.

35 “(3) In performing the review and designations, the director shall consider whether dis-
36 semination of information in the report may create terrorism risks or other security con-
37 cerns, the utility of information in the report to local emergency management agencies and
38 the public interest in government transparency.

39 “(4) Prior to the public release of any information that may describe a facility or its risk
40 of an uncontrolled release of hazardous material, the person or entity releasing the infor-
41 mation shall provide reasonable notice and opportunity for the owner or operator of the fa-
42 cility to review the information to be released. If the owner or operator determines that the
43 public release of the information would divulge confidential business information, create se-
44 curity risks or contradict existing local emergency response plans related to the facility, the
45 owner or operator may request redactions to the information.

1 “(5) The State Resilience Officer, after consultation with the director, may make rec-
2 ommendations based on information in the report to local emergency management agencies
3 before the director’s review and designations are completed.

4 “(6) If a local emergency management agency includes information derived from the
5 study performed under section 1 of this 2025 Act in an emergency response plan, the plan
6 must specify that such information was derived from the study.

7 “SECTION 3. This 2025 Act being necessary for the immediate preservation of the public
8 peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect
9 on its passage.”.

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