

House Bill 3492

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

Digest: The Act tells DOGAMI to study and report on risks related to toxic substances that may be released in an earthquake. (Flesch Readability Score: 60.6).

Directs the State Department of Geology and Mineral Industries to study risks and issues relating to earthquake-induced dispersion of hazardous materials. Requires the department to submit a report on the study to the State Resilience Officer by December 1, 2027. Provides that the study and report are confidential pending review by the Director of the Oregon Department of Emergency Management.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to seismic hazards; and declaring an emergency.

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

3 **SECTION 1. (1) The State Department of Geology and Mineral Industries shall study**
4 **risks related to earthquake-induced dispersion of hazardous materials. The department may**
5 **use any appropriate methodology or methodologies to carry out the study.**

6
7 **(2) The primary goal of the study is to compile data and information that will assist local**
8 **emergency management agencies in creating 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-induced**
11 **dispersion of hazardous materials by:**

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

14 **(B) Identifying the highest risk facilities within seismic risk zones, using appropriate**
15 **criteria such as the Toxic (Operational) Hazard Score developed by the U.S. Naval Research**
16 **Laboratory; and**

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

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

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

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

27 **(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, accounting for any major seismic resiliency improvements made to the facility; and

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

6 (A) Conducting a review of existing regulatory programs to which relevant facilities are
7 subject;

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

10 (C) Conducting a literature review of mitigation solutions and obtaining an engineering
11 review of such solutions.

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

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

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

26 (2) The director shall review the report and designate portions that may be made publicly
27 available, including disclosure under ORS 192.311 to 192.478, and portions that may be trans-
28 mitted to local emergency management agencies under the condition that such agencies hold
29 such portions confidential. Portions of the report may be distributed in accordance with such
30 designations.

31 (3) In performing the review and designations, the director shall consider whether dis-
32 semination of information in the report may create security concerns, the utility of infor-
33 mation in the report to local emergency management agencies and the public interest in
34 government transparency.

35 (4) The State Resilience Officer, after consultation with the director, may make recom-
36 mendations based on information in the report to local emergency management agencies
37 before the director's review and designations are completed.

38 SECTION 3. This 2025 Act being necessary for the immediate preservation of the public
39 peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect
40 on its passage.