

LEGISLATIVE FISCAL OFFICE  
900 Court Street NE, Room H-178  
Salem, Oregon 97301  
(503) 986-1828



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WAYS AND MEANS

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**To:** Capital Construction Subcommittee  
**From:** April McDonald, Legislative Fiscal Office  
**Date:** March 3, 2026  
**Subject:** HB 4100 – Relating to bulk fuel terminals  
Work Session Recommendations

HB 4100 requires owners or operators of bulk oils or liquid fuels terminals to acquire and maintain a certificate of financial responsibility from the Department of Environmental Quality (DEQ). Certificates shall be renewed every three years and each time there is a change in ownership. The Environmental Quality Commission will establish rules related to financial assurance for spill-related liabilities, including a reasonable minimum amount required, which will be updated at regular intervals. The maximum required assurance may not exceed \$300 million and will be evaluated every three years. Local governments may not adopt or enforce regulations requiring assurance in excess of the requirements adopted by the commission. Rules adopted by the commission must also be consistent with the requirements of federal law, while accounting for state-specific needs. The commission is to appoint an advisory committee for rulemaking, with specified membership, to ensure the requirements for financial responsibility are fair and effective.

The measure also directs DEQ to report biennially to the legislature regarding implementation of the financial assurance requirements, with the first report due by September 15, 2027. DEQ may establish a fee to cover the costs of implementation, and revenue is to be deposited in the existing Seismic Risk Mitigation Fund.

The proposed –A5 amendment provides DEQ with an increase of \$175,162 in Other Funds expenditure limitation to establish and support two permanent positions (0.67 FTE) for the 2025-27 biennium, including a Program Analyst 3 (0.42 FTE) and an Administrative Specialist 2 (0.25 FTE) for activities including rulemaking, research, advisory committee support, technical assistance, document review, compliance enforcement, ongoing oversight, and reporting.

## Amendment

LFO recommends adoption of the –A5 amendment.

**MOTION:** I move adoption of the –A5 amendment to HB 4100. *(vote)*

## Final Subcommittee Action

LFO recommends that HB 4100, as amended by the –A5 amendment, be moved to the Ways and Means Full Committee.

**MOTION:** I move HB 4100, as amended, to the Full Committee with a do pass recommendation. *(vote)*

## Carriers

Full Committee: \_\_\_\_\_

House Floor: \_\_\_\_\_

Senate Floor: \_\_\_\_\_