

Requested by SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

**PROPOSED AMENDMENTS TO
SENATE BILL 197**

1 On page 1 of the printed bill, line 2, after the first semicolon delete the
2 rest of the line and insert “and prescribing an effective date.”.

3 Delete lines 4 through 27 and delete pages 2 and 3 and insert:

4 **“SECTION 1. Section 2 of this 2017 Act is added to and made a part**
5 **of ORS chapter 468A.**

6 **“SECTION 2. (1) The Department of Environmental Quality, in**
7 **consultation with the State Department of Agriculture, shall adopt**
8 **rules to establish a program for the regulation of ammonia emissions**
9 **from dairies that have the capacity to produce more than 100 tons of**
10 **ammonia emissions annually.**

11 **“(2) The matters addressed by the rules shall include, but need not**
12 **be limited to:**

13 **“(a) The determination of ammonia emission capacity for a dairy**
14 **based on the number of cows and the type of manure collection sys-**
15 **tem;**

16 **“(b) Best management practices for dairies to reduce ammonia**
17 **emissions;**

18 **“(c) Appropriate point value assignments for identified best man-**
19 **agement practices; and**

20 **“(d) The required form and information for the registration of a**
21 **dairy under the program.**

1 **“(3) A dairy that under the program rules has capacity to produce**
2 **more than 100 tons of ammonia emissions annually shall register with**
3 **the Department of Environmental Quality and the State Department**
4 **of Agriculture. A dairy having a capacity to produce 100 tons or less**
5 **of ammonia emissions annually may become subject to the program**
6 **by voluntarily submitting a registration.**

7 **“(4) No later than 30 days after the State Department of Agriculture**
8 **receives a registration from a dairy, the department shall conduct an**
9 **initial inspection of the dairy. The State Department of Agriculture**
10 **shall assess the dairy management practices using the program point**
11 **values for each management practice. The State Department of Agri-**
12 **culture shall inspect a dairy registered under the program at least**
13 **once every two years to conduct a reassessment of the business prac-**
14 **tices of the dairy and may make additional inspections to assist the**
15 **Department of Environmental Quality in ensuring corrective measures**
16 **or taking enforcement action. The State Department of Agriculture**
17 **shall provide information from an assessment to the dairy and to the**
18 **Department of Environmental Quality.**

19 **“(5) If the State Department of Agriculture assessment of the dairy**
20 **management practices assigns a score of 27 points or more on an in-**
21 **spection, the Department of Environmental Quality shall issue or re-**
22 **new an operating permit for the dairy. If a State Department of**
23 **Agriculture assessment of the dairy management practices assigns a**
24 **score of less than 27 points on an inspection, or if a dairy fails to**
25 **submit a registration required under this section, the Department of**
26 **Environmental Quality may require the dairy to take corrective**
27 **measures and may take enforcement action as provided in ORS 468.090.**

28 **“SECTION 3. (1) The Task Force on Dairy Emissions is established.**

29 **“(2) The task force consists of seven members. The Director of Ag-**
30 **riculture shall appoint one member as a representative of the State**

1 Department of Agriculture and five members with expertise in matters
2 relevant to dairy operations or to air emission generation by dairy
3 operations. The Director of the Department of Environmental Quality
4 shall appoint one member to be a representative of the Department
5 of Environmental Quality.

6 “(3) The task force shall obtain and review information concerning
7 air emissions by dairies in Oregon, including but not limited to the
8 types of emissions present, the magnitude of emissions, and the ability
9 and cost to control emissions. The task force shall develop recom-
10 mendations regarding whether the Department of Environmental
11 Quality program established in section 2 of this 2017 Act should be
12 expanded to address additional types of air contaminants.

13 “(4) The task force may take all lawful actions reasonable and
14 necessary for carrying out the duties of the task force.

15 “(5) A majority of the members of the task force constitutes a
16 quorum for the transaction of business.

17 “(6) Official action by the task force requires the approval of a
18 majority of the members of the task force.

19 “(7) The task force shall elect one of its members to serve as
20 chairperson.

21 “(8) If there is a vacancy for any cause, the appointing authority
22 shall make an appointment to become immediately effective.

23 “(9) The task force shall meet at times and places specified by the
24 call of the chairperson or of a majority of the members of the task
25 force.

26 “(10) The task force may adopt rules necessary for the operation
27 of the task force.

28 “(11) The task force shall submit a report in the manner provided
29 in ORS 192.245, and may include recommendations for legislation, to
30 an interim committee of the Legislative Assembly related to natural

1 resources no later than September 15, 2018.

2 “(12) The State Department of Agriculture shall provide staff sup-
3 port to the task force.

4 “(13) Members of the task force are not entitled to compensation
5 or reimbursement for expenses and serve as volunteers on the task
6 force.

7 “(14) All agencies of state government, as defined in ORS 174.111,
8 are directed to assist the task force in the performance of duties of the
9 task force and, to the extent permitted by laws relating to
10 confidentiality, to furnish information and advice the members of the
11 task force consider necessary to perform their duties.

12 “SECTION 4. Section 3 of this 2017 Act is repealed on December 31,
13 2018.

14 “SECTION 5. This 2017 Act takes effect on the 91st day after the
15 date on which the 2017 regular session of the Seventy-ninth Legislative
16 Assembly adjourns sine die.”.

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