

Oregon Senate Bill 751 (Reviewed by Whitney Avery)

Senate Bill 751 was passed August 8, 2003, partly in reaction to federal legislation allowing for the formation of Superfund sites and the monies with which to address the pollution at these sites. Senate Bill 751 moves to classify the portion of the Willamette River from Swan Island to the confluence of the Willamette and Columbia rivers as a Superfund site in order to make use of available federal funds.

Senate Bill 751 outlines specifically for the cleanup and identification of “the presence of pollutants, hazardous substances and contaminants in the area that are not directly traceable to a particular responsible party.”

This Bill also creates a Pollution Control Fund to be administered by The Department of Environmental Quality. These funds are to be used for giving loans and/or grants to local municipalities for local waste disposal and recovery projects, the acquisition of land for the use of waste control facilities, and other relevant projects. It clearly outlines the use, distribution, and availability of funds for these projects. They are to be approved by the Department of Environmental Quality. All projects must be able to sustained with no less than “70% self-supporting and self-liquidating from revenues, gifts, grants from the federal government and other fees.” Before any project is approved the applicants must prove that they have adopted a waste management plan and a waste reduction program.

It also provides for the establishment of a Willamette River Cleanup Authority. The authority will be composed of five members: the Governor (chairperson), two members of the House and two members of the Senate. The Authority will receive relevant reports on the subject and be the liaison for local and federal agencies. The Authority also has the ability to create committees and sub-committees as it sees fit, which may include a technical advising team.

Critique

This bill is absolutely a step in the right direction. What I like about it is that there are a lot of avenues for localities to pursue in order to secure money for their stretch of the river. This can be done by a city, county, even a group that is organized enough to prove that they will be able to effect change. It also allows for the authority to call for more research and information in order to make better-informed decisions as to the most effective avenues to pursue. This bill also looks to make use of federal funding so that the State is not trying to finance all of these projects alone, in our already fragile economy.

I wish that there were more provisions for holding businesses accountable and getting them involved in the payment of these projects. There doesn't seem to be a lot of emphasis on the investigation of new toxins that may be released that are as of yet unclassified. The bill is progressive in its recognition of non-point source pollution but seems to be more concerned with solid waste cleanup and related treatment facilities.

As always, there does seem to be an almost excessive amount of red tape involved in getting anything

done pursuant to this bill. It is a catch-22 of sorts. All of the different prescriptions for the allocation of funds makes for many available routes for funding, but it also makes things difficult, as an intimate knowledge of all the processes are required. Overall, I think that it is a good bill with many merits and it is up to the constituents to make use of it.

Bibliographic Citation:

Oregon State. 72nd Legislative Assembly- Regular Session 2003. Senate Bill 751 . Salem: Oregon State Printing Office 2003.

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