

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure
Vote: 5 - 0 - 0
Yeas: Hass, Olsen, Prozanski, Thomsen, Dingfelder
Nays: 0
Exc.: 0
Prepared By: Beth Patrino, Administrator
Meeting Dates: 5/24, 5/26

WHAT THE MEASURE DOES: Directs Department of Environmental Quality (DEQ) to protect human health and ecosystem health while minimizing negative economic impacts on state's economy incurred through meeting conditions in variances when administering National Pollutant Discharge Elimination System permit program of federal Water Pollution Control Act and granting variances. Directs DEQ when granting variance to consult with applicant and to extent allowed by federal law to seek to minimize negative economic impact incurred by applicant and ensure that, if conditions are included in variance, the conditions are directly related to purpose of variance and negative economic impact on applicant will be minimized. Directs DEQ to report to 77th Legislative Assembly by February 15, 2013 regarding variances.

ISSUES DISCUSSED:

- Bill doesn't change water quality standards
- New water quality standards under consideration
- Provisions primarily affect municipalities

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: A variance is a short-term exemption from meeting water quality standards which would otherwise be applicable to an individual discharger. A variance is most commonly discharger-specific, granted for a specific pollutant and does not otherwise modify the water quality standards. Oregon's existing water quality standards include an authorizing provision allowing variances to be granted. However, no variance has ever been sought for or granted to a facility in Oregon. The federal Environmental Protection Agency must approve each variance request. HB 3591 A directs DEQ to take certain actions regarding such variances.