

**A-Engrossed**  
**House Bill 3591**

Ordered by the House April 27  
Including House Amendments dated April 27

Sponsored by Representatives CONGER, SCHAUFLER, J SMITH; Representatives BENTZ, DOHERTY, HUFFMAN, JOHNSON, KENNEMER, MATTHEWS, MCLANE, PARRISH, WEIDNER, WHISNANT, Senator JOHNSON

**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.

Requires Department of Environmental Quality to consult with applicant regarding Federal Water Pollution Control Act variances in order to seek to minimize negative economic impacts of variances.

Requires department to submit report regarding certain variances to Legislative Assembly.

**A BILL FOR AN ACT**

Relating to economic impacts of water quality variances.

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

**SECTION 1. To the extent allowable by federal law, the Department of Environmental Quality, through its administration of the National Pollutant Discharge Elimination System permit program of the Federal Water Pollution Control Act and granting of variances, shall strive to protect human health and ecosystem health by controlling pollutants that are discharged into the waters of the state, as defined in ORS 468B.005, while also minimizing negative economic impacts on this state's economy incurred through meeting conditions included in the variances.**

**SECTION 2. When the Department of Environmental Quality grants a variance as part of its administration of the National Pollutant Discharge Elimination System permit program of the Federal Water Pollution Control Act, the department shall consult with the applicant and, to the extent allowable by federal law, seek to:**

**(1) Minimize negative economic impacts that will be incurred by the applicant as a result of the variance; and**

**(2) Ensure that if conditions are included in the variance, the conditions are directly related to the purpose of the variance and that any negative economic impacts incurred by the applicant will be minimized.**

**SECTION 3. The Department of Environmental Quality shall report to the Seventy-seventh Legislative Assembly by February 15, 2013, regarding the variances described in section 2 of this 2011 Act, including but not limited to:**

**(1) Information on the number and type of variances granted.**

**(2) A summary of any conditions imposed or contained in the variances.**

**SECTION 4. Section 3 of this 2011 Act is repealed on January 2, 2014.**

**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.