



LEAGUE OF WOMEN VOTERS®  
OF OREGON

March 21, 2013

To: House Committee on Consumer Protection and Government Efficiency  
Representative Paul Holvey, Chair  
Members of the Committee

Re: HB 3172 - Onsite Septic Evaluation (Clean Streams) - **SUPPORT**

The League of Women Voters is a nonpartisan, grassroots political organization that encourages informed and active participation in government. The League recently spent three years studying water quantity and quality and updated its positions on Water Policy. *“The League opposes degradation of all of Oregon’s surface and ground water.” “The League supports policies and legislation that integrate water quality into resource management and include but are not limited to standards for:.....2. Placement and inspection of septic tanks and alternative individual treatment systems, .....7. Permitting and enforcement procedures with agency funding adequate to ensure timely compliance,.....”*

Recently our Education Fund completed a study of Coastal and Nearshore Oregon where the issue before you was discussed. Our researchers note that the Coastal Zone Management Act requires a septic system inspection program and that DEQ has an agreement with the Environmental Protection Agency to complete a rule adoption by March of 2013. DEQ has recently put their rulemaking on hold. I assume they are awaiting direction from the Legislature.

Our researchers noted that Dunes City adopted an ordinance in 2006 that included inspection of septic systems. *“During the time the ordinance was in effect, 69% of septic systems underwent some inspection or pumping activity. Of these, 12% had failed systems, or needed replacement or repairs.”*

When this issue was presented before an interim legislative hearing, Rep. Deborah Boone shared a very telling story: when she purchased her home (located in the Coastal Zone), she discovered that the septic pipe went directly into the nearby river. Of course, she corrected that problem. But hers is just one of many stories well known about old installations and failing septic systems, both in the Coastal Zone and elsewhere in Oregon. **This is a public health issue.**

We **support** HB 3172, where an evaluation of an onsite wastewater treatment system report must be presented by the seller at the time of transfer of real property. We are not experts on the various systems, but do know that failing septic systems are a very real health

issue and that such a report seems like a reasonable method of addressing—or at least raising--this critical issue. We also know that many coastal residents will be financially impacted by this rule. But we have no other answer.

We note that Page 2, line 9 of the bill provides that inspections are valid for two years. Perhaps every five years is adequate to assure public health protection while also recognizing the financial burden to property sellers.

**Most important to the League is that the inspections begin. The purpose of this bill is “to restore and maintain the quality of public waters and to protect the public health and general welfare of the people of the State of Oregon.” We encourage you to pass this bill.**

On the issue of financial burden, in 2011 we supported SB 83 related to establishment of a grant and loan program for owners of subsurface sewage disposal systems. **We encouraged DEQ to again offer this legislation for consideration in 2013, especially for low income or low cost housing. I am unaware if a similar bill is before this body.** We cannot go backwards, but we need to find ways to help those in need as the program goes forward.

Thank you for considering our request. We urge passage of HB 3172.



Robin Wisdom  
LWVOR President



Peggy Lynch  
Natural Resources Coordinator

Cc: Dick Pedersen, Director, Oregon Department of Environmental Quality