

**HB 3182 -2 STAFF MEASURE SUMMARY**  
**House Committee On Energy and Environment**

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**Prepared By:** Misty Freeman, LPRO Analyst

**Meeting Dates:** 3/21, 4/4

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**WHAT THE MEASURE DOES:**

Requires a permit from the Oregon Department of Environmental Quality (DEQ) for the construction, installation, or operation of an onsite system for the treatment and reuse of non-potable water. Clarifies that if system is a gray water reuse and disposal system that meets certain requirements, the owner may choose to obtain a permit under the provisions of this Act or under ORS 454.610, regulation of gray water discharge. Clarifies that systems permitted under provisions of this Act are exempt from sewage disposal system permit requirements in ORS 454.655 and regulation of gray water discharge in ORS 454.610. Directs the Environmental Quality Commission (EQC) to consult with the Building Codes Division of the Department of Consumer and Business Services to adopt risk-based water quality standards for the on-site treatment and reuse of non-potable water. Requires standards to include risk-based log reduction targets for the removal of pathogens from non-potable water so the water may be reused on-site for toilet and urinal supply water, clothes washing, irrigation, mechanical cooling, p-trap priming, or dust suppression; water quality monitoring requirements; reporting requirements for water quality monitoring results; notification and public information requirements; cross-connection controls; and permit requirements. Becomes operative January 1, 2020. Authorizes EQC and DEQ to adopt rules or take necessary action before the operative date to carry out provisions of this Act. Declares emergency, effective on passage.

*REVENUE: May have revenue impact, but no statement yet issued.*

*FISCAL: May have fiscal impact, but no statement yet issued.*

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

-2 Replaces measure. Defines terms. Creates new provisions and amends ORS 468.005, 468.015, 468.035, 468.065, 468.095, 468.100, 468.120, 468.140, 468.956, 468.997, and 537.132.

Requires a permit from the Oregon Department of Environmental Quality (DEQ) for the construction, installation, or operation of an onsite system for the treatment and reuse of non-potable water. Exempts onsite non-potable water system for which permit issued from ORS 454.610, regulation of gray water discharge, and 454.655, sewage disposal system permit requirements.

Requires Environmental Quality Commission (Commission) in consultation with Building Codes Division of Department of Consumer and Business Services adopt rules to implement provisions. Requires rules include risk-based water quality standards for onsite non-potable water systems. Requires Commission address at a minimum: risk-based log reduction targets for removal of pathogens such as enteric viruses, parasitic protozoa, and enteric bacteria from water collected from alternate water sources, such that resulting onsite non-potable water may be safely reused for non-potable end uses; water quality monitoring requirements; reporting requirements related to water quality monitoring results; notification and public information requirements; cross-connection controls; and permit requirements.

Changes exemption from permit requirement for use of reclaimed water under ORS 537.132 to clarify that onsite non-potable water system is exempted. Sets operative date on January 1, 2020. Sets operative date on January 1, 2020. Authorizes Commission adopt rules or take any actions before operative date necessary to enable Commission and DEQ to carry out provisions of this Act. Declares emergency, effective on passage.

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*This summary has not been adopted or officially endorsed by action of the committee.*

**BACKGROUND:**

An onsite non-potable water system (ONWS) is a system in which water from local sources is collected, treated, and used for non-potable uses at the building, district, or neighborhood scale, and generally at a location near the point of generation. Typically, ONWS collect roof runoff, stormwater, or graywater, which includes water from sinks and showers, to supply non-potable end uses such as toilet and urinal flushing, clothes washing, ornamental plant irrigation, and dust suppression. While this water is not fit for human consumption, ONWS include water treatment and are generally required to meet certain water quality standards. Key water quality standards include pH, Total Suspended Solids (TSS), Volatile Organic Compounds (VOCs), total coliform bacteria or E. Coli, carbanaceous biochemical oxygen demand (CBOD), turbidity, and chlorine residual.

House Bill 3182 would provide a framework for permitting onsite systems for the treatment and reuse of non-potable water. The Act would direct the Environmental Quality Commission to consult with the Building Codes Division of the Department of Consumer and Business Services to adopt standards for water treatment and use, and the Department of Environmental Quality would oversee the permitting process. The Act declares an emergency and is effective upon passage. The permit process would become operative January 1, 2020.