

HB 3182 A STAFF MEASURE SUMMARY
House Committee On Energy and Environment

Action Date: 04/04/19

Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

Vote: 7-2-0-0

Yeas: 7 - Helm, Salinas, Schouten, Sollman, Wilde, Williams, Zika

Nays: 2 - Findley, Reschke

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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

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. Exempts an onsite non-potable water system for which a permit is issued under the provisions of this Act from ORS 454.610, regulation of gray water discharge, and 454.655, sewage disposal system permit requirements. Requires the Environmental Quality Commission (EQC) in consultation with the 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 EQC 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 the exemption from the permit requirement for use of reclaimed water under ORS 537.132 to clarify that an onsite non-potable water system is exempted. Sets operative date on January 1, 2020. Authorizes EQC to adopt rules or take necessary action before the operative date to enable EQC and DEQ to carry out provisions of this Act. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- The relationship between water supply and the reuse of stormwater and graywater for certain non-potable uses
- Currently no federal or state regulations in place for onsite non-potable water reuse systems
- Regulation framework based on Water Research Foundation's "Risk-Based Framework for the Development of Public Health Guidance for Decentralized Nonpotable Water Systems" (2017)
- Decentralized water availability as a resilience strategy

EFFECT OF AMENDMENT:

Replaces the measure.

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

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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 A 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. House Bill 3182 A clarifies that onsite non-potable water systems would be exempted from permitting requirements for reclaimed water under ORS 537.132.