

# House Bill 3182

Sponsored by Representatives KENY-GUYER, POWER, Senator DEMBROW; Representative HELM, Senator ROBLAN

## 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 **as introduced**.

Requires permit for construction, installation or operation of system for on-site treatment and reuse of nonpotable water. Requires Environmental Quality Commission to adopt by rule risk-based water quality standards for on-site treatment and reuse of nonpotable water.

Becomes operative January 1, 2020. Authorizes commission to take certain actions before operative date of Act.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to onsite nonpotable water systems; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 454.605 to**  
5 **454.755.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **“Nonpotable end uses” includes use of water for toilet and urinal supply water,**  
8 **clothes washing, irrigation, mechanical cooling, p-trap priming and dust suppression.**

9 (b) **“Nonpotable water” includes rainwater and gray water.**

10 (2)(a) **Except as provided in subsection (3) of this section, a person may not construct,**  
11 **install or operate a system for the on-site treatment and reuse of nonpotable water without**  
12 **first obtaining a permit from the Department of Environmental Quality.**

13 (b) **A system for the on-site treatment and reuse of nonpotable water for which a permit**  
14 **has been issued under this section is exempt from the requirements of ORS 454.655 and**  
15 **454.610.**

16 (3) **A person who constructs, installs or operates a gray water reuse and disposal system**  
17 **that meets the requirements adopted by rule under subsection (4) of this section for the**  
18 **on-site treatment and reuse of nonpotable water may choose to obtain a permit under either**  
19 **this section or ORS 454.610.**

20 (4) **The Environmental Quality Commission, in consultation with the Building Codes Di-**  
21 **vision of the Department of Consumer and Business Services, shall adopt by rule risk-based**  
22 **water quality standards for the on-site treatment and reuse of nonpotable water. In adopting**  
23 **rules under this subsection, the commission shall address, at a minimum:**

24 (a) **Risk-based log reduction targets for the removal of pathogens such as enteric viruses,**  
25 **parasitic protozoa and enteric bacteria from nonpotable water, such that the treated water**  
26 **may be reused on site for nonpotable end uses;**

27 (b) **Water quality monitoring requirements;**

28 (c) **Reporting requirements related to water quality monitoring results;**

**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.

1 (d) Notification and public information requirements;

2 (e) Cross-connection controls; and

3 (f) Permit requirements.

4 **SECTION 3.** (1) Section 2 of this 2019 Act becomes operative on January 1, 2020.

5 (2) The Environmental Quality Commission may adopt rules or take any actions before  
6 the operative date specified in subsection (1) of this section that are necessary to enable the  
7 commission and the Department of Environmental Quality, on and after the operative date  
8 specified in subsection (1) of this section, to carry out the provisions of section 2 of this 2019  
9 Act. Rules adopted pursuant to this section may not become operative before January 1,  
10 2020.

11 **SECTION 4.** This 2019 Act being necessary for the immediate preservation of the public  
12 peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect  
13 on its passage.

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