

SB 931 A STAFF MEASURE SUMMARY

Senate Committee On Natural Resources

Action Date: 04/03/23

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 5-0-0-0

Yeas: 5 - Girod, Golden, Prozanski, Smith DB, Taylor

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Laura Kentnesse, LPRO Analyst

Meeting Dates: 3/15, 4/3

WHAT THE MEASURE DOES:

Requires the Environmental Quality Commission (EQC) to adopt rules for determining whether a community or area-wide sewerage system will satisfactorily accommodate a proposed sewage discharge. Requires, in rule adoption, consideration of factors including: the legal availability and physical availability of a sewerage system; the scope and magnitude of the proposed repairs to an existing sewage disposal system; the cost of repairs to an existing system compared to the cost of connecting to a sewerage system; statewide planning goals; and environmental and public health concerns. Establishes that these provisions become operative on January 1, 2024 and authorizes the Department of Environmental Quality (DEQ) and EQC to take any needed actions before the operative date. Creates temporary provisions to sunset on January 2, 2025 that allow DEQ to issue a permit to repair or replace a sewage disposal system without regard to the availability of a community or area-wide sewerage system provided that certain conditions are met.

ISSUES DISCUSSED:

- Options for property owners that need to replace a portion or all of an aging septic system
- Prohibitively expensive for a property owner to hook up to a community sewerage system in certain circumstances
- Factors that could be considered other than distance from a community sewerage system
- Additional challenges if the property owner would need to annex into a city or sewer district or cross multiple lots to access the community sewerage system
- Whether the subsequent referral to the Joint Committee on Ways and Means is warranted

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

The construction or installation of a subsurface or alternative sewage disposal system requires a permit from Oregon Department of Environmental Quality (DEQ). DEQ is required to issue a permit if it finds the proposed construction project conforms to Environmental Quality Commission rules. DEQ is prohibited from issuing a permit if a community or area-wide sewerage system is available that can satisfactorily accommodate the proposed sewage discharge.

Senate Bill 931 A would require the Environmental Quality Commission to adopt rules for determining whether a community or area-wide sewerage system will satisfactorily accommodate a proposed sewage discharge, and would create temporary provisions that allow DEQ to issue a permit to repair or replace a sewage disposal system without regard to the availability of a community or area-wide sewerage system provided that certain conditions are met.