

SENATE AMENDMENTS TO SENATE BILL 931

By COMMITTEE ON NATURAL RESOURCES

April 11

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest of the line and insert
2 “creating new provisions; amending ORS 454.655; and prescribing an effective date.”.

3 Delete lines 23 and 24 and insert:

4 “(b) The commission shall adopt rules for determining whether a community or area-wide
5 sewerage system will satisfactorily accommodate a proposed sewage discharge. Rules adopted by the
6 commission must require consideration of factors that include, but need not be limited to:

7 “(A) The legal availability and physical availability of a sewerage system;

8 “(B) The scope and magnitude of the proposed repairs to an existing subsurface sewage disposal
9 system or alternative sewage disposal system;

10 “(C) The cost of repairs to an existing subsurface sewage disposal system or alternative sewage
11 disposal system compared to the cost of connecting to a sewerage system;

12 “(D) Statewide planning goals; and

13 “(E) Environmental and public health concerns associated with the proximity of seepage pits,
14 cesspools or drainfields to wells or waters of this state.”.

15 On page 2, after line 25, insert:

16 “**SECTION 2. Notwithstanding ORS 454.655 (4), the Department of Environmental Quality
17 may issue a permit to repair or replace a subsurface sewage disposal system or alternative
18 sewage disposal system without regard to the availability of a community or area-wide
19 sewerage system if:**

20 “(1) **The proposed construction is for the repair or replacement of a subsurface sewage
21 disposal system or alternative sewage disposal system for which a certificate of completion
22 has been issued under ORS 454.665;**

23 “(2) **The subsurface sewage disposal system or alternative sewage disposal system serves
24 a single-family dwelling that is located outside of the boundaries of a city; and**

25 “(3) **The department determines that the proposed construction otherwise satisfies the
26 requirements of ORS 454.655 and rules adopted by the Environmental Quality Commission.**

27 “**SECTION 3. Section 2 of this 2023 Act is repealed on January 2, 2025.**

28 “**SECTION 4. (1) The amendments to ORS 454.655 by section 1 of this 2023 Act become
29 operative on January 1, 2024.**

30 “(2) **The Department of Environmental Quality and the Environmental Quality Commis-
31 sion may take any action before the operative date specified in subsection (1) of this section
32 that is necessary to enable the department or the commission to exercise, on and after the
33 operative date specified in subsection (1) of this section, all the duties, functions and powers
34 conferred on the department and the commission by the amendments to ORS 454.655 by
35 section 1 of this 2023 Act.**

