

Rulemaking Announcement

Onsite Septic System Program (Clean Streams)

DEQ invites your input on proposed permanent rule amendments to Chapter 340 of the Oregon Administrative Rules.

DEQ proposal

DEQ proposes the following changes to OAR 340, divisions 071, 018:

Amend

- Time of transfer septic system inspections with reporting requirements
- Alternative treatment technology product approval process to include annual fees and reporting
- Fee schedule to include compliance recovery fees for violators
- Site evaluation reports to expire ten years from rule adoption or issue date
- Definition of maintenance to allow some system components to be replaced without a permit

Repeal

- ETA systems from the rule and site evaluation confirmations

Our objective

The objective of this rulemaking is to implement 2009 advisory committee recommendations. To meet this objective, amended rules must ensure:

- Septic systems in defined coastal zone are inspected at the time of property transfer and identified deficiencies corrected to improve water quality.
- Newly permitted sand filters and pressure distribution systems are maintained by trained maintenance providers.
- Compliance-recovery fees help pay for working with violations.
- Product approval for alternative treatment technologies is tracked and system performance is monitored in Oregon.
- Repair permits for existing facilities do not require a DEQ planning reviews.
- Land Use Reviews are funded.
- Beginning in 2023, site evaluations reports issued over 10 years earlier will expire.

Who does this affect?

The proposed rules affect septic system users, realtors, product manufacturers, general public, local governments.

You can participate!

Sign up for notices

Get email updates about this proposed rule: 

Attend a hearing

DEQ invites you to attend one of the public hearings listed below. A presiding officer will provide a brief overview of the proposal before inviting spoken or written comments.

1. Medford, 3:00 p.m., Oct 16, 2012, Oregon DEQ, Conference Room, 221 Stewart St, Suite 201, Medford Presiding Officer: DEQ staff
2. Eugene, 3:00 p.m., Oct. 17, 2012, Oregon DEQ, Willamette Conference Room, 165 East 7th Avenue, Eugene Presiding Officer: DEQ staff
3. Portland, 3:00 p.m., Oct. 18, 2012, Oregon DEQ, 10th floor – room EQC A, 811 SW 6th Avenue, Portland Presiding Officer: DEQ staff

Submit written comments

DEQ invites you to submit written comments by:

Email Comment-CleanStreams@deq.state.or.us

Mail Oregon DEQ,
Attn: Randy Trox
165 East 7th Ave, Suite 100
Eugene, OR 97401

FAX Attn: Randy Trox
541-686-7551

Comment deadline

To consider comments on the proposed rule, DEQ must receive the comment by
5 p.m. Friday, October 19, 2012



State of Oregon
Department of
Environmental
Quality

Water Quality Division

165 East 7th Avenue, Suite 100
Eugene OR 97401
Phone: (541) 686-7838
1-800-844-8467
Fax: 541-686-7551
Contact: Randy Trox
Email: trox.randall@deq.state.or.us

www.oregon.gov/DEQ

What has happened so far?

Advisory Committee

DEQ convened the [Oregon DEQ Onsite Advisory Committee](#) in 2009 and made recommendations on what the program should look like in the future and recommended possible funding strategies.

Documents used to develop proposal

DEQ relied on the following documents when considering the need for the proposed rules and to prepare the rulemaking documents.

- [Final Report of Recommended Changes to Rules Governing Onsite Systems](#).
- [Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters](#)
- [Greenwood Report 2002](#)

What's going to happen next?

We will review all comments

DEQ will review all spoken testimony and written comments. We may modify the rule proposal based on the comments.

Next, we'll prepare a written response to all comments received by the comment deadline. The comments and DEQ's response will become part of the proposal package that will go to the [Environmental Quality Commission](#) for final decision.

Present proposal to the EQC

The Governor selected the 5 members of the EQC to review all proposed changes to division 340 of the Oregon Administrative Rules. It is up to the EQC whether to approve the proposed changes or not.

DEQ plans to take this proposal to the EQC for final decision at their December 6th & 7th meeting at DEQ's office located at 811 SW 6th Avenue, Portland.

Accessibility information

You may review copies of all websites and documents referenced in this announcement at:

- The DEQ office located at: 165 East 7th Avenue, Suite 100, Eugene. To schedule a review, call Lisa MacGregor at 541-686-7905.

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ Communications and Outreach at 503-229-5696 or call toll-free in Oregon at 1-800-452-4011; fax to 503-229-6762; or email to deqinfo@deq.state.or.us.