

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

| | |
|--|-------------------------------------|
| <u>Department of Environmental Quality</u> | 340 |
| Agency and Division | Administrative Rules Chapter Number |
| <u>Maggie Vandehey</u> | (503) 229-6878 |
| Rules Coordinator | Telephone |
| <u>Department of Environmental Quality, 811 SW Sixth Ave., Portland, OR 97204-1390</u> | |
| Address | |

RULE CAPTION

Onsite septic system program (Clean Streams)

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

| Hearing Date | Time | Location | Hearings Officer |
|--------------|-----------|---|------------------|
| 10-16-12 | 3:00 a.m. | DEQ, 221 Stewart, Ste. 201, Medford, OR 97501 | DEQ Staff |
| 10-17-12 | 3:00 a.m. | DEQ, Willamette Conference Room, 165 East 7th | DEQ Staff |
| 10-18-12 | 3:00 a.m. | DEQ, EQC A 10th Floor, 811 SW 6th Ave., | DEQ Staff |

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

- ADOPT:**
- AMEND:**
OAR 340-018-0030, 340-071-0100, 340-071-0130, 340-071-0131, 340-071-0140, 340-071-0150, 340-071-0160, 340-071-0162, 340-071-0205, 340-071-0220, 340-071-0275, 340-071-0290, 340-071-0295, 340-071-0345, 340-071-0400, 340-071-0650
- REPEAL:**
OAR 340-071-0270

- RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.
- AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:
ORS 454.615, 454.625, 468.020 & 468.065(2)

Other Authority:

Statutes Implemented:
ORS 197.180, 454.605 - 454.745, 468.065, 468B.050

RULE SUMMARY

The proposed rules would amend Onsite program rules to:

- Require the submittal of septic system inspection reports at the time of property transfer. Upon receipt of a complete report, DEQ will issue a Certificate of Acceptance.
- Implement 2011 legislatively-approved fees, such as land use sign-off fees.
- Implement changes to alternative treatment technologies (ATT) product approval, based on recommendations by the 2009 onsite advisory committee. This includes establishing that the products meet performance standards in the field and better track system installations.
- Newly permitted sand filters and pressurized distribution must have a service maintenance contract and ongoing maintenance similar to ATT systems.
- Streamline rules to make it easier for the public to comply
- Correct errors in the rules and update some sections to contemporary rule standards
- Add expiration dates to site evaluation reports to ease the burden of local agents to honor old site evaluations that are difficult to locate due to mature landscaping, addition or subtraction of structures such as fences. Also remove site evaluation confirmation fees from the rules as the anticipated efficiencies were not realized and very few were submitted.
- Remove ETA systems from the rules as they were targeted for use in Jackson County and were not as successful as sand filters, so they haven't been permitted in decades.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

| | | | |
|--|-----------------|-----------------------------|------------------|
| 10-19-2012 5:00 p.m. | Maggie Vandehey | maggie.vandehey@state.or.us | 9-14-12 7:45a.m. |
| Last Day (m/d/yyyy) and Time for public comment | Printed Name | Email Address | Date Filed |

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.
ARC 923-2003