

# Lazy Days Water Pollution Control Facility Findings and the Three Basin Rule

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Water Quality Division

May 23, 2024  
Environmental Quality Commission Meeting

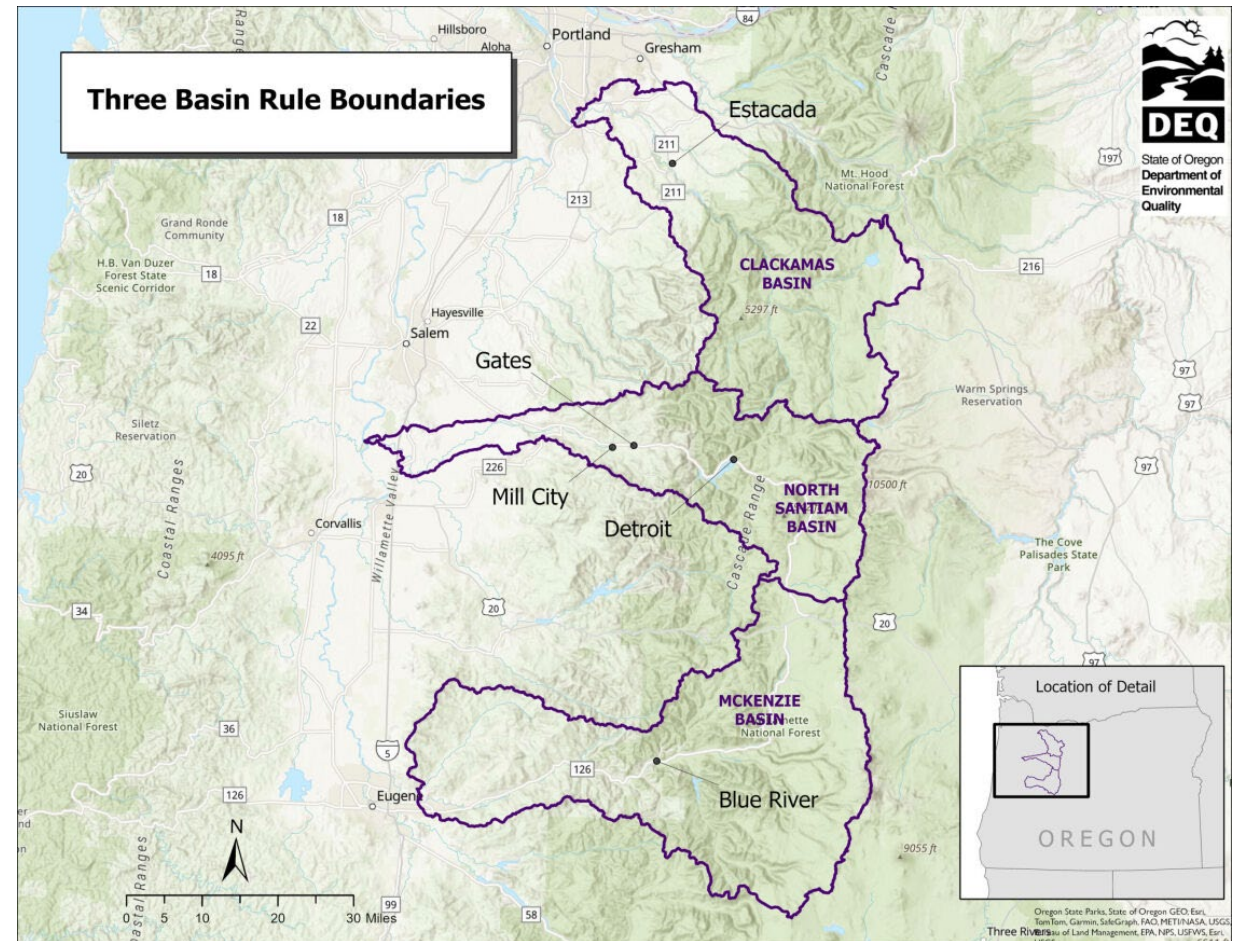
# Today's Presentation

- Three Basin Rule – Overview, Application, and Requirements
- 2020 Wildfire Impacts
- Water Pollution Control Facility – Onsite Septic Permitting
- Lazy Days Mobile Home Park Permitting
- DEQ findings and recommendation to EQC



# Three Basin Rule

- Originally adopted in 1976
- Drinking water source protection and recreation
  - Clackamas
  - North Santiam
  - McKenzie
- Significantly amended in 1995 to include protection of aquatic life and other provisions



# Three Basin Rule – Application and Protection

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- General prohibition on new or increased wastewater discharges with some exceptions
  - Emergencies or for public health reasons
  - Onsite systems <5,000 gallons per day
  - Certain general permits, including construction stormwater
  - Etc.
- Establishes a process to consider WPCF permits for new or expanded facilities designed for 5,000 gallons per day or more of wastewater treatment

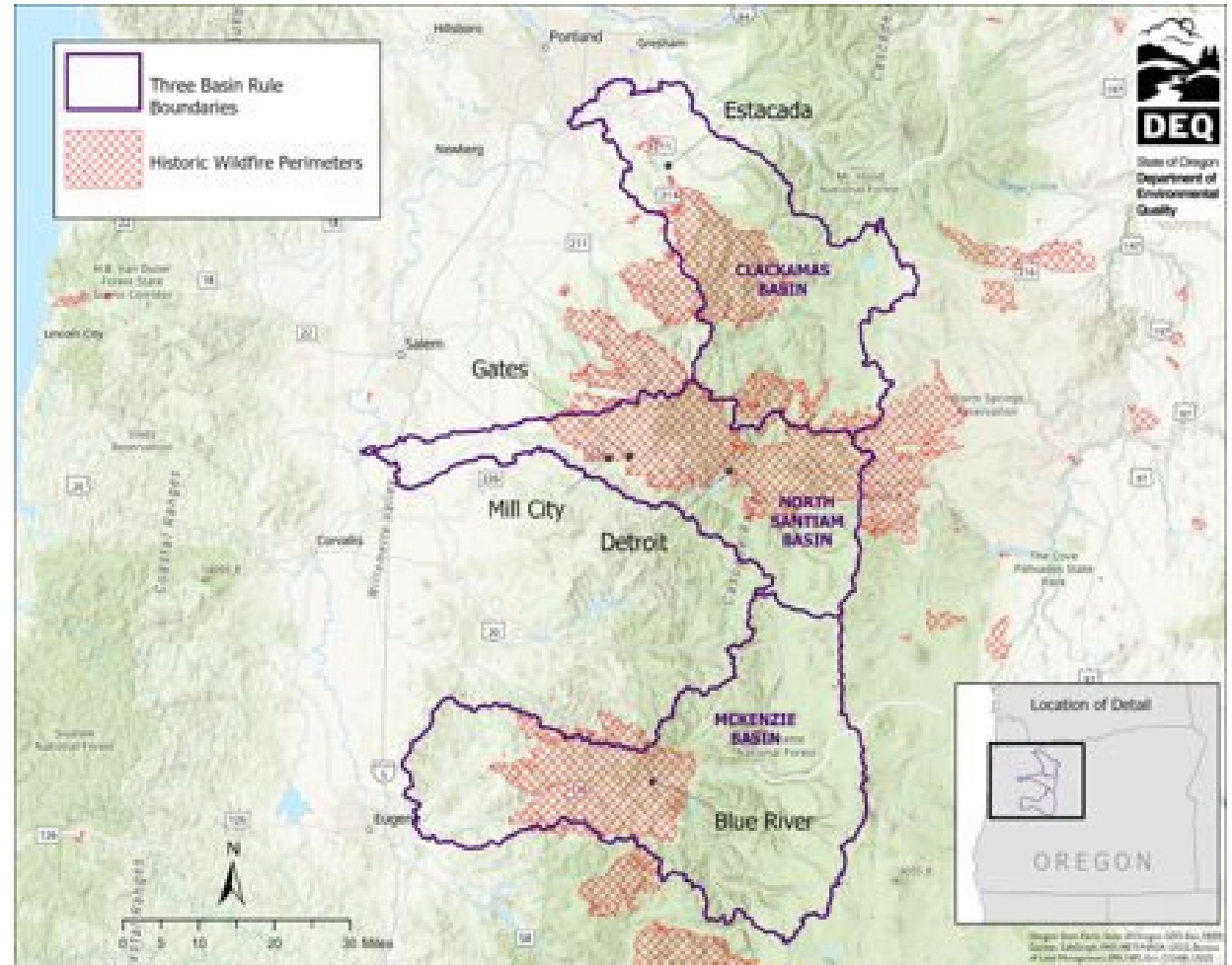
# Three Basin Rule – Required Findings

- To approve a Water Pollution Control Facility permit for a new or expanded onsite system with sewage flows of 5,000 gallons per day or more, DEQ and the commission must find that:
  - There is no discharge to surface water;
  - The new treatment system or facility will protect groundwater including a groundwater monitoring plan, treated wastewater concentration limits and plans to restore conditions if groundwater quality is adversely affected; and
  - That the new treatment system or facility improves protection relative to the current treatment system.



# 2020 Wildfire Impacts

- Catastrophic wildfires primarily across western Oregon
- Federal emergency declared Sept. 15, 2020
- Over 4,000 properties damaged statewide
- Within Three Basin area, ~1,400 properties with onsite systems impacted
- Ongoing rebuilding efforts still occurring in 2024



# Overview of Water Pollution Control Facility (WPCF) - Onsite Septic (OS) Permitting

- Large systems over 2,500 gallons per day and/or high strength wastewater with subsurface disposal
- WPCF-OS permits issued by DEQ
- Site evaluation, groundwater review and engineered construction plans required
- Renewable 10-year operating permits with annual reporting requirements
- Three Basin Rule applies if 5,000 gallons per day or larger for new or expanded facilities/systems

Expiration Date: 6/30/2033  
Permit Number: 103292  
File Number: 127655  
Page 1 of 10 Pages

**WATER POLLUTION CONTROL FACILITIES PERMIT**  
"Modification"  
Department of Environmental Quality  
Western Region - Eugene Office  
165 East 7th Ave, STE 100, Eugene, OR 97401  
Telephone: (541) 686-7838

Issued pursuant to ORS 468B.050

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**ISSUED TO:** SOURCES COVERED BY THIS PERMIT:

Homes for Good Housing Agency 100 West 13 <sup>th</sup> Ave Eugene, OR 97401	Type of Waste Domestic Sewage	System 001	Method of Treatment/Disposal Recirculating Textile Filter & drainfield
<b>SYSTEM TYPE AND LOCATION:</b> Onsite Wastewater Treatment System  Lazy Days Manufactured Home Park 52511 McKenzie Hwy, Blue River		<b>RIVER BASIN INFORMATION:</b> Basin: Willamette Sub-Basin: McKenzie LLID: 1230673441173 River Mile: 53.73 County: Lane	
Located on: Township 16S, Range 4E, Section 22, Tax Lot 1300 @ Latitude: 44.1566, Longitude: -122.3100.		Nearest surface stream which would receive waste if it were to discharge: McKenzie River	

This permit is issued in response to application number 948191 received November 27, 2023, and is based on the Land Use Compatibility Statement issued by Lane County dated March 21, 2023.

Sean Rochette, Manager \_\_\_\_\_ Date \_\_\_\_\_  
Onsite Program

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**PERMITTED ACTIVITIES**

Until this permit expires or is modified or revoked, the permittee is authorized to construct, install, modify, or operate a wastewater collection, treatment, control and disposal system in conformance with all the requirements, limitations, and conditions set forth in the attached schedules as follows:

Schedule	Page
Schedule A - Waste Disposal Limitations	2
Schedule B - Minimum Monitoring and Reporting Requirements	3 - 4
Schedule C - Compliance Conditions and Schedules	4 - 5
Schedule D - Special Conditions	5 - 6
Schedule F - General Conditions	6 - 10

Discharge of untreated or partially treated sewage or septic tank effluent directly or indirectly onto the ground surface or into surface waters constitutes a public health hazard and is prohibited. This permit does not relieve the permittee from responsibility for compliance with any other applicable federal, state, or local law, rule or standard.

# Lazy Days Mobile Home Park Permitting

- **Prior to 2020 wildfires, this facility was not on a WPCF-OS permit**
- **Redevelopment approach in two phases:**
- **Phase 1**
  - New WPCF-OS permit required for design flow of 4,850 gallons per day
  - Three Basin Rule action not required – under 5,000 gallons per day
  - WPCF-OS permit issued on July 21, 2023
- **Phase 2**
  - Full build-out expected to be on par with pre-wildfire development
  - WPCF-OS permit modification with effluent limit increase required for 6,100 gallons per day
  - Draft permit sent out for applicant review and public notice for comments. No comments received by due date of Feb. 23, 2024.
  - Brought to EQC May 2024 for action



# DEQ Evaluation and Findings

To grant permit approval, DEQ and the commission must find that:

- **There is no discharge to surface water;**
  - Wastewater from this facility will be discharged to a subsurface drainfield.
- **The new treatment system or facility will protect groundwater including a groundwater monitoring plan, treated wastewater concentration limits and plans to restore conditions if groundwater quality is adversely affected; and**
  - The draft permit includes wastewater concentration limits and requires groundwater monitoring. Permit limits and monitoring requirements based on DEQ hydrogeologist input.
  - Draft permit language allows DEQ to require assessment of impact on groundwater quality. DEQ can reopen permit for amended groundwater monitoring requirements.
- **That the new treatment system or facility improves protection relative to the current treatment system.**
  - Facility development is limited to pre-wildfire capacity.
  - The proposed treatment system is expected to reduce total nitrogen discharges by 70-80% compared to the original septic systems.

# DEQ Recommendation to EQC

- DEQ recommends that the Oregon Environmental Quality Commission approve issuance of the WPCF-OS permit modification for the Lazy Days Mobile Home Park facility for a sewage design flow of up to 6,100 gallons per day.
- Factors for recommendation:
  - Facility is rebuilding back to pre-wildfire conditions and will help house wildfire affected people.
  - Wastewater will be highly treated before subsurface discharge, with no expected impact to ground or surface waters.
  - Groundwater will be monitored for potential impacts. The permit may be amended to require more stringent monitoring or treatment, or to remove such requirements.
  - Combination of treatment and monitoring is expected to be protective of the sensitive nearby water resources.

# Proposed Motion Language

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*“I move that the Oregon Environmental Quality Commission approve, under the Three Basin Rule, the Water Pollution Control Facility permit modification for the Lazy Days Mobile Home Park, owned by Homes For Good Housing Agency, for an onsite wastewater design flow of up to 6,100 gallons per day.”*

# Title VI and alternative formats

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