

**HB 2241 -5 STAFF MEASURE SUMMARY**  
**House Committee On Energy and Environment**

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**Prepared By:** Erin Pischke, LPRO Analyst

**Meeting Dates:** 3/31, 4/12

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**WHAT THE MEASURE DOES:**

Requires Department of Environmental Quality (DEQ) to approve at least three businesses, experienced in laws and practices relating to water pollution and be capable of providing services to a sufficient number of applicants, to provide water quality permit application review services. Requires DEQ to make a list of approved services available on DEQ's website. Requires businesses providing water quality permit application review services to: 1) review permit applications; 2) prepare a report to DEQ based on the standards established; and 3) transmit the application and report to DEQ. Requires DEQ to approve or disapprove water quality permit application with report from review service provider within 30 days. Requires DEQ to report water quality permit wait times to interim committees of Legislative Assembly related to environment no later than September 15 of each year. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

-5 Requires the Department of Environmental Quality (DEQ) to create and maintain a publicly available list of two or more businesses, experienced in laws and practices relating to water pollution and be capable of providing services to a sufficient number of applicants, as determined by DEQ, that may provide the services for data centers that are applicants for a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of noncontact cooling water. Authorizes DEQ to update list of approved services available. Authorizes businesses providing water quality permit application review services to: review permit applications; 2) prepare a report to DEQ based on the standards established; and 3) transmit the application and report to DEQ. Requires DEQ standards to, at a minimum, require: 1) the person that prepares the report apply the same criteria as an employee of DEQ for determining whether the applicant has met the requirements for a permit; 2) the report state whether the permit application is complete; 3) the report state whether the permit application meets the criteria for approval; and 4) if the permit application meets the criteria for approval, the report include a draft permit and a fact sheet, if required, for review by DEQ. Requires DEQ to approve or disapprove the permit application within 120 days of receiving the permit application and report. Prohibits a data center from utilizing the process to apply for an NPDES permit for the discharge of noncontact cooling water during any period when DEQ is accepting applications for NPDES 100-J general permits. Requires DEQ to approve at least three businesses, to provide water quality permit application review services within 180 days of effective date of this Act. Sunsets requirement for list of businesses and reporting requirement on January 2, 2032.

**BACKGROUND:**

The Department of Environmental Quality's (DEQ) wastewater management program regulates and minimizes adverse impacts of pollution on Oregon's waters from point sources of pollution. The term "point source" generally refers to wastewater discharged into water or onto lands through a pipe or a discernible channel. These point sources operate under the terms of a federal National Pollutant Discharge Elimination System (NPDES) or state Water Pollution Control Facilities (WPCF) wastewater discharge permit issued by DEQ. Point sources requiring a NPDES permit include wastewater treatment plants, various industries such as pulp and paper plants and food processors, as well as municipal stormwater systems for Oregon's larger urban areas. In addition, construction sites disturbing more than one acre of land and certain types of industrial facilities are required to

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have a NPDES permit for stormwater runoff.

House Bill 2241 would require Department of Environmental Quality (DEQ) to approve at least three businesses to provide water quality permit application review services. The measure would require DEQ to approve or disapprove water quality permit application with report from review service provider within 30 days. House Bill 2241 would require DEQ to report water quality permit wait times to interim committees of Legislative Assembly related to environment no later than September 15 of each year.