

A-Engrossed House Bill 3208

Ordered by the House March 21
Including House Amendments dated March 21

Sponsored by Representative HELM; Representative GAMBA (at the request of Department of Environmental Quality)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Authorizes Environmental Quality Commission to annually adjust, by up to three percent, fees associated with water quality programs administered by Department of Environmental Quality.

A BILL FOR AN ACT

1
2 Relating to fees associated with water quality programs administered by the Department of Envi-
3 ronmental Quality; amending ORS 468B.051 and 522.019; and repealing ORS 468B.196.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 468B.051 is amended to read:

6 468B.051. (1) [*Not more than once each calendar year,*] **Subject to subsection (2) of this sec-**
7 **tion,** the Environmental Quality Commission may increase the fees established under:

8 (a) **ORS 448.410, 454.745, 454.755, 454.792, 468B.047 or 468B.195; or**

9 (b) ORS 468.065 for permits issued under ORS 468B.050.

10 **(2) The commission may not increase a fee described in subsection (1) of this section**
11 **more than once each calendar year.** The amount of the annual increase may not exceed the an-
12 ticipated increase in the cost of administering the [*permit*] program **to which the fee is applicable**
13 or three percent, whichever is lower, unless a larger increase is provided for in the Department of
14 Environmental Quality's legislatively approved budget.

15 **SECTION 2.** ORS 522.019 is amended to read:

16 522.019. (1)(a) In order to accomplish the policy of ORS 522.015 all geothermal fluids derived
17 from geothermal resources shall be reinjected into the same reservoir from which withdrawn unless
18 it is determined by the State Department of Geology and Mineral Industries that these policies and
19 the public interest require other disposal of the fluids.

20 (b) Subject to the determination in paragraph (a) of this subsection, injection into other reser-
21 vairs or disposal by other means may be allowed by the department in specific instances where it
22 is shown that such action is consistent with the policies cited in this section. Disposal by other
23 means may include any secondary use of geothermal fluid after the primary use of such fluid for
24 electrical power generation or for other direct application of the heat or other associated energy
25 contained in such fluids or for by-product extraction. Secondary uses may include, but shall not be
26 limited to, use of condensate resulting from electrical power plant operations for plant-cooling pur-
27 poses, or use of such geothermal fluid for agricultural, commercial or industrial purposes.

28 (2) The State Department of Geology and Mineral Industries shall adopt rules governing the

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 disposal by reinjection or other means of geothermal fluids derived from geothermal resources from
2 wells of 250 or more degrees Fahrenheit bottom hole temperature or wells 2,000 or more feet deep.
3 The rules shall include standards whereby contamination may be determined, construction standards
4 for reinjection wells, testing procedures for identifying aquifers, standards and procedures for de-
5 termining whether adjacent aquifers are being degraded by the reinjection process, guidelines for
6 conservation of the resource, criteria for evaluating reservoirs or zones for geothermal fluid disposal
7 and requirements for prior approval of all geothermal fluid reinjection proposals.

8 (3) In addition to the permit required by ORS 522.115, an operator of a geothermal well must
9 obtain a water quality permit from the Department of Environmental Quality under ORS 468B.050
10 or under rules authorized by ORS 468B.195 before injection of any fluid, except well drilling fluids.
11 Nothing in this chapter limits the authority of the Department of Environmental Quality to regulate
12 the subsurface injection of fluids pursuant to ORS 468B.195[, 468B.196] and 468B.197.

13 **SECTION 3. ORS 468B.196 is repealed.**

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