

SB 1189 STAFF MEASURE SUMMARY

Senate Committee On Natural Resources and Wildfire

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Meeting Dates: 3/25, 3/27

WHAT THE MEASURE DOES:

The measure temporarily authorizes the construction and installation of a new publicly owned treatment works facility within the North Santiam Basin prior to the issuance of a Department of Environmental Quality (DEQ) water quality permit, provided construction begins between April 15 and June 6, 2025. It requires the facility's owner to have an applicable DEQ permit to operate the treatment works or discharge waste into state waters, and that any discharges comply with the permit's terms and conditions. The measure states that the owner is still required to obtain any other required permits. Sunsets January 2, 2027. Declares an emergency, effective upon passage.

Fiscal impact: May have fiscal impact, but no statement yet issued.

Revenue impact: May have revenue impact, but no statement yet issued.

ISSUES DISCUSSED:

- Three Basin Rule and *Maui Decision*
- \$50 million American Rescue Plan Act funds awarded for the construction of a sewage system in Marion County, expires December 31, 2026
- Construction timeline

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

A publicly owned treatment works (POTW) is a sewage or wastewater treatment facility typically owned and operated by a government agency. In Oregon, the Department of Environmental Quality (DEQ) manages groundwater quality and regulates contaminants through point source and nonpoint source pollution controls.

Point source pollution involves pollutants discharged through a pipe or discernible channel to water or land. DEQ issues wastewater discharge permits under the National Pollutant Discharge Elimination System (NPDES) or the state Water Pollution Control Facilities (WPCF) program. These permits apply to various point sources, including wastewater treatment plants, industrial facilities, and stormwater discharges. ORS 468B.050 (1)(b) prohibits the construction, installation, modification or operation of any disposal system without holding a DEQ or Department of Agriculture water quality permit.

House Bill 5006 (2021) allocated \$50 million in American Rescue Plan Act (ARPA) funds to Marion County for the construction of the Mill City POTW, with the requirement that these funds be fully expended by December 31, 2026.