

HB 3814 A STAFF MEASURE SUMMARY**Carrier:** Rep. Gomberg**House Committee On Climate, Energy, and Environment****Action Date:** 04/01/25**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 11-1-0-0**Yeas:** 11 - Andersen, Edwards, Helm, Levy B, Levy E, Lively, Marsh, Neron, Osborne, Owens, Wallan**Nays:** 1 - Gamba**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Erin Pischke, LPRO Analyst**Meeting Dates:** 3/20, 4/1**WHAT THE MEASURE DOES:**

The measure allows the Oregon Environmental Quality Commission and the Oregon Department of Environmental Quality (DEQ) to, in a permit applicable to a seafood processing facility for the discharge of wastewater effluent into the waters of the state, allow a portion of the water body receiving the wastewater effluent to serve as a mixing zone in order to satisfy the bacteria water quality criteria for the water body if DEQ determines that the mixing zone would not adversely affect public health. Requires the DEQ's determination to be based on a review of information that clearly demonstrates that the mixing zone would not adversely affect public health. It requires certain seafood processing facilities to implement best-management practices to prevent the inclusion of bacteria in wastewater effluent from external fecal sources. Requires best-management practices to be informed by a site-specific investigation of sources of bacteria. Takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Types of bacteria resulting from seafood processing
- Use of mixing zones by other states' seafood processors
- Available wastewater treatment technologies
- Current Department of Environmental Quality regulations of seafood processors
- Potential human and environmental health impacts of mixing zones

EFFECT OF AMENDMENT:

Replaces the measure with the exception of the effective date.

BACKGROUND:

The Environmental Protection Agency sets standards for drinking water and wastewater quality and treatment through the Clean Water Act and National Primary Drinking Water Regulations. The federal Clean Water Act was enacted in 1972 to restore and maintain clean and healthy waters by regulating the discharge of pollutants and setting requirements for water quality standards. Protecting water quality in source waters for public water systems requires implementation of federal Clean Water Act authorities and state law. The Department of Environmental Quality (DEQ) is responsible for implementation of the federal Clean Water Act and state water quality law in Oregon. Because of this authority, DEQ is responsible for addressing pollutants from point and nonpoint sources of pollution that affect the water quality throughout the state.

According to [DEQ](#), "seafood processing wastewater carries wastes (such as bits of fish, fish blood, seafood digestive system wastes, seafood storage water, and cleaning products residuals) that have a high biochemical oxygen demand." High biochemical oxygen demand, which occurs when chemicals in the wastewater bind with the dissolved oxygen in the water, can create "deadzones" where fish and other aquatic life do not have sufficient

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oxygen.

Seafood processing facilities must apply to DEQ for a general permit that cover limited aspects of their operations, or they can apply for individual permits that covers specific aspects of their operations. In 2020, DEQ created a new 900-J Seafood Processing General Permit in order to adapt its coverage to changes in industry practices and water quality, ensuring that facilities meet state and federal requirements.