



Oregon

Kate Brown, Governor

Department of Environmental Quality

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EMERGENCY ORDER February 14, 2020

A severe winter storm and flooding has caused damage to hundreds of structures and numerous resources in Umatilla, Union, and Wallowa counties. To rebuild flood-damaged homes and structures, and restore resources, lands will need to be cleared of flood-related debris, which may surpass local transfer station and landfill capacity. Many homes will also need to repair or replace on-site sewage systems or the connections to such systems. Types of structures may include outbuildings such as barns, shops, garages and carports, and it also appears that some commercial buildings and businesses have been damaged. Along with the collapsed buildings the contents within these buildings have also been damaged or destroyed. Some of these buildings may have chemicals in them that may have been released to the environment if the containers they were in were compromised. Business owners, home owners, and land managers will need to remove damaged or destroyed structures and materials, which may strain or surpass local solid waste disposal capacity.

To ensure ongoing public health, safety, and environmental protection, and pursuant to ORS 401.168 and the authorization provided to me by the Governor's PROCLAMATION OF STATE OF EMERGENCY EXECUTIVE ORDER 20-01 AND DELEGATION OF EMERGENCY AUTHORITY PURSUANT TO ORS 401.035(2) TO SUSPEND ADMINISTRATIVE RULES THAT PREVENT, HINDER OR DELAY MITIGATION OF THE EFFECTS OF THIS SEVERE WINTER STORM, verbally proclaimed February 7, 2020 and signed February 10, 2020, I hereby:

1. Suspend the requirements in OAR 340-093-0060 (1)(g) for a land use compatibility statement and OAR 340-097-0120(2)(d) for fees for Solid Waste Letter Authorizations to be issued for the establishment of temporary solid waste disposal sites to expedite management of storm related debris. The suspension of rules under this paragraph applies to activities in Umatilla, Union, and Wallowa Counties and for the period from the date of issuance of this emergency order through and including September 1, 2020.
2. Suspend the on-site fees established in OAR 340-071-0140 and Table 9 A-F (including the state surcharge imposed on local fees under OAR 340-071-0140) for residential on-site systems that were destroyed, or partially destroyed, due to flooding in 2020. This fee suspension applies only to on-site systems that were legally constructed and operating at the time they were damaged or destroyed. Fees are suspended for the following: site evaluations, inspections, permits, reports, variances, and hardship authorizations. The suspension of rules under this paragraph applies to activities in Union and Wallowa counties for applications filed before September 1, 2020.

3. Determine that DEQ has received a blanket notification for residential buildings identified in 340-248-0260, and suspend the remaining project notification requirements and fees. These requirements are waived to expedite management of storm related debris and protect public health, safety, and the environment. I also suspend OAR 340-248-0205(1) that inhibits the open accumulation of friable asbestos material or asbestos-containing waste material located in building storm debris that has yet to be removed for disposal. Rule suspension under this paragraph applies to activities in Umatilla, Union, and Wallowa Counties and for the period from the date of this order through and including June 1, 2020.

A copy of this order is being provided to the Governor's Natural Resources Office and the Environmental Quality Commission. Written reports concerning the nature and basis of this order and the permits affected will be provided to both.

Signed by,

A handwritten signature in blue ink, appearing to read 'R. Whitman', is written over the 'Signed by,' text.

Richard Whitman
DEQ Director