OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
SECRETARY OF STATE

MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE

ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

PERMANENT ADMINISTRATIVE ORDER

ODE 47-2026

CHAPTER 581

OREGON DEPARTMENT OF EDUCATION

FILED: 10/15/2026 12:32 PM

ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Temporary-to-Permanent Rule: Polychlorinated Biphenyls Testing Grant for Schools

EFFECTIVE DATE: 10/16/2026

AGENCY APPROVED DATE: 10/15/2026

CONTACT:
Haedon Brunelle
503-508-3886
haedon.brunelle@ode.oregon.gov
255 Capitol St. NE
Salem, OR 97301

Filed By:
Haedon Brunelle
Rules Coordinator

ADOPT: 581-027-0060

REPEAL: Temporary 581-027-0060 from ODE 14-2026

RULE TITLE: PCB Testing Grant

NOTICE FILED DATE: 08/24/2026

RULE SUMMARY: These rules were adopted as temporary rules in April 2026. The permanent rules are needed because the grant will be ongoing after the temporary rules end.

RULE TEXT:
(1) The following definitions apply to this rule:
(a) “Department” means the Oregon Department of Education;
(b) “District” means a school district organized under ORS Chapter 332; and
(c) “PCB” means polychlorinated biphenyls.
(2) The PCB testing.
(3) Only Districts are eligible to apply for the PCB Testing Grant.
(4) The Department shall post the application on the Department’s website by April 30, 2026.
(5) Applications by Districts must be submitted between May 1, 2026 and May 31, 2026.
(6) Eligible applications shall include:

(a) Evidence that the District has already tested one building for PCBs;
(b) Estimated costs to complete the testing for the remainder of the District's facilities;
(c) Documentation that the District's community has raised a concern about PCB contamination in District's buildings in the past year;
(d) An assurance that all testing expenses will be incurred by June 30, 2027; and
(e) An assurance that the organization contracted by the District to perform the PCB testing will comply with all state and federal regulations covering PCB contamination testing.
(7) The Department shall review all applications against ODE's school facilities data collection to ensure applicants have at least 50% of their buildings built between 1950 and 1980. The Department shall reject an application if the District does not meet this standard.
(8) The Department shall approve applications in the order they were received. The Department shall commit PCB Testing Grant funds to approved applications in the order they were approved. Once all PCB Testing Grant funds have been committed, no additional applications shall be reviewed.
(9) A District shall sign a grant agreement with the Department before any funds are disbursed to the District.
(10) Expenses eligible to be reimbursed shall include all costs to be paid to the organization contracted to conduct the testing conducting the testing. Districts may not claim any administrative costs for this grant.
(11) Districts shall submit the following when requesting reimbursement from the Department:
(a) Invoices from their contracted testing organization;
(b)Testing results provided by the contracted testing organization; and
(c) Certification by the contracted testing organization that the organization has complied with all relevant state and federal regulations.
(12) All expenses must be incurred by June 30, 2027. Any expense incurred after that date may not be reimbursed through the PCB Testing Grant.

STATUTORY/OTHER AUTHORITY: ORS 327.008

STATUTES/OTHER IMPLEMENTED: ORS 327.008, ORS 332.337