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STATUTORY MINOR CORRECTION

PH 34-2026

CHAPTER 333
OREGON HEALTH AUTHORITY
PUBLIC HEALTH DIVISION

FILED: 10/26/2026 10:03 AM
ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Statutory Minor Correction - OAR 333-061-0060, correcting rule reference

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 333-061-0060

RULE TITLE: Plan Submission and Review Requirements

RULE SUMMARY: Correcting reference to subsection of OAR 333-061-0036 in subsection (1)(e)

RULE TEXT:
(1) Plan Submission:
(a) Construction and installation plans shall be submitted to and approved by the Oregon Health Authority (Authority) before construction begins on new systems or major additions or modifications, as determined by the Authority, are made to existing systems. Corrosion control studies conducted according to OAR 333-061-0034(3)(b) must be submitted to and approved by the Authority prior to installation of treatment.
(b) Preliminary plans, pilot studies, master plans and construction plans shall be prepared by a professional engineer registered in Oregon, and submitted to the Authority unless exempted by the Authority (See OAR 333-061-0060(4)).
(c) Plans shall set forth the following:
(A) Sufficient detail, including specifications, to completely and clearly illustrate what is to be constructed and how those facilities will meet the construction standards set forth in these regulations. Elevation or section views shall be provided where required for clarity.

(B) Supporting information attesting to the quality of the proposed source of water.
(C) Vicinity map of the proposed project relative to the existing system or established landmarks of the area.
(D) Name of the owner of the water system facilities during construction and the name of the owner and operator of the facilities after completion of the project.
(E) Procedures for cleaning and disinfecting those facilities which will be in contact with the potable water.
(d) Prior to drilling a well, a site plan shall be submitted which shows the site location, topography, drainage, surface water sources, specifications for well drilling, location of the well relative to sanitary hazards, dimensions of the area reserved to be kept free of potential sources of contamination, evidence of ownership or control of the reserve area and the anticipated depth of the aquifer from which the water is to be derived. The Authority will review well reports from the area and in consultation with the local watermaster and the well constructor as appropriate will recommend the depth of placement of the casing seal. After the well is drilled, the following documents shall be submitted to the Authority for review and approval: Well driller's report, report of the pump test which indicates that the well has been pumped for a sufficient length of time to establish the reliable yield of the well on a sustained basis, including data on the static water level, the pumping rate(s), the changes in drawdown over the duration of the test, the rate of recovery after the pump was turned off, reports on physical, chemical and microbiological quality of the well water, performance data on the well pump, a plan of the structure for protecting above-ground controls and appurtenances, and a plan showing how the well will be connected to the water system. (See OAR 333-061-0050(2)).
(e) Any community, non-transient non-community (NTNC), or transient non-community (TNC) water system where treatment for surface water or groundwater under the influence of surface water is applied, and where the water supplier desires to make a significant change to its disinfection treatment process as defined by paragraphs (1)(e)(A) through (1)(e)(D) of this rule, water suppliers are required to develop a disinfection profile and calculate a disinfection benchmark according to OAR 333-061-0036(4)(l). The water system must consult with and provide any additional information requested by the Authority prior to making such a change. The water system must develop a disinfection profile for Giardia lamblia and viruses, calculate a disinfection benchmark, describe the proposed change in the disinfection process, and analyze the effect(s) of the proposed change on current levels of disinfection according to the U.S. EPA Disinfection Profiling and Benchmarking Guidance Manual or the U.S. EPA LT1-ESWTR Disinfection Profiling and Benchmarking Technical Guidance Manual and submit the information to the Authority for review and approval. Significant changes to the disinfection treatment process include:
(A) Changes to the point of application:
(B) Changes to the disinfectants used in the treatment process;
(C) Changes to the disinfection process;
(D) Any other modification identified by the Authority.
(f) A water system that uses either chloramines, chlorine dioxide, or ozone for primary disinfection, and that is required to prepare a disinfection profile for Giardia lamblia as prescribed by subsection (1)(e) of this rule, must also prepare a disinfection profile for viruses and calculate the logs of inactivation for viruses using the methods specified in OAR 333-061-0036(4)(l).
(2) Plan review:
(a) Upon receipt of plans, the Authority shall review the plans and either approve them or advise that correction or clarification is required. When the correction or clarification is received, and the item(s) in question are resolved, the Authority shall then approve the plans;
(b) Upon completion of a project, a professional engineer registered in Oregon shall submit to the Authority a statement certifying that the project has been constructed in compliance with the approved plans and specifications. When substantial deviations from the approved plans are made, as-built plans showing compliance with these rules shall be submitted to the Authority;
(c) Plans shall not be required for emergency repair of existing facilities. In lieu of plans, written notice shall be submitted to the Authority immediately after the emergency work is completed stating the nature of the emergency, the extent of the work and whether or not any threats to the water quality exists or existed during the emergency.

(3) Plan review fees. Plans submitted to the Authority for review and approval must be accompanied by a fee as indicated in Table 44.
(4) Plan review exemptions:
(a) Water suppliers may be exempted from submitting plans for water main extensions or replacements, providing they:
(A) Have provided the Authority with a current master plan; and
(B) Certify that the work will be carried out in conformance with the construction standards of these rules; and
(C) Submit to the Authority an annual summary of the projects completed, signed by a professional engineer currently registered in Oregon and certifying that all projects were completed according to OAR 333-061-0050; and
(D) Certify that they have staff qualified to effectively supervise the projects.
(b) Those water suppliers certifying that they have staff qualified to effectively plan, design and supervise their projects, may request the Authority for further exemption from this rule. Such requests must be accompanied by a listing of staff proposed to accomplish the work and a current master plan. To maintain the exemption, the foregoing must be annually updated;
(c) At the discretion of the Authority, community, NTNC, TNC and state regulated water systems may be exempted from submitting engineered plans. They shall, however, submit adequate plans indicating that the project meets the minimum construction standards of these rules.
(5) A master plan is required for every community water system with 300 or more service connections or serving more than 1,000 people and shall be maintained by the water supplier for the duration of the period to which the plan applies. Master plans shall be prepared by a professional engineer registered in Oregon and submitted to the Authority for review and approval.
(a) Each master plan shall evaluate the needs of the water system for at least a 20-year period and shall include, but not be limited to, the following elements:
(A) A summary of the overall plan that includes the water quality and service goals, identified present and future water system deficiencies, the engineer's recommended alternative for achieving the goals and correcting the deficiencies, and the recommended implementation schedule and financing program for constructing improvements.
(B) A description of the existing water system which includes the service area, source(s) of supply, status of water rights, current status of drinking water quality and compliance with regulatory standards, maps or schematics of the water system showing size and location of facilities, estimates of water use, and operation and maintenance requirements.
(C) A description of water quality and level of service goals for the water system, considering, as appropriate, existing and future regulatory requirements, nonregulatory water quality needs of water users, flow and pressure requirements, and capacity needs related to water use and fire flow needs.
(D) An estimate of the projected growth of the water system during the master plan period and the impacts on the service area boundaries, water supply source(s) and availability, and customer water use.
(E) An engineering evaluation of the ability of the existing water system facilities to meet the water quality and level of service goals, identification of any existing water system deficiencies, and deficiencies likely to develop within the master plan period. The evaluation shall include the water supply source, water treatment, storage, distribution facilities, and operation and maintenance requirements. The evaluation shall also include a description of the water rights with a determination of additional water availability, and the impacts of present and probable future drinking water quality regulations.
(F) Identification of alternative engineering solutions, environmental impacts, and associated capital and operation and maintenance costs, to correct water system deficiencies and achieve system expansion to meet anticipated growth, including identification of available options for cooperative or coordinated water system improvements with other local water suppliers.
(G) A description of alternatives to finance water system improvements including local financing (such as user rates and system development charges) and financing assistance programs.
(H) A recommended water system improvement program including the recommended engineering alternative and associated costs, maps or schematics showing size and location of proposed facilities, the recommended financing

alternative, and a recommended schedule for water system design and construction.
(I) If required as a condition of a water use permit issued by the Water Resources Department, the master plan shall address the requirements of OAR 690-086-0120 (Water Management and Conservation Plans).
(J) A seismic risk assessment and mitigation plan for water systems fully or partially located in areas identified as VII to X, inclusive, for moderate to very heavy damage potential using the Map of Earthquake and Tsunami Damage Potential for a Simulated Magnitude 9 Cascadia Earthquake, Open File Report 0-13-06, Plate 7 published by the State of Oregon, Department of Geology and Mineral Industries.
(i) The seismic risk assessment must identify critical facilities capable of supplying key community needs, including fire suppression, health and emergency response and community drinking water supply points.
(ii) The seismic risk assessment must identify and evaluate the likelihood and consequences of seismic failures for each critical facility.
(iii) The mitigation plan may encompass a 50-year planning horizon and include recommendations to minimize water loss from each critical facility, capital improvements or recommendations for further study or analysis.
(b) The implementation of any portion of a water system master plan must be consistent with OAR 333-061 (Public Drinking Water Systems, Oregon Health Authority), OAR 660-011 (Public Facilities Planning, Department of Land Conservation and Development) and OAR 690-086 (Water Management and Conservation Plans, Water Resources Department).

STATUTORY/OTHER AUTHORITY: ORS 448.131

STATUTES/OTHER IMPLEMENTED: ORS 448.131

NOTE: Attachments referenced are attached to this document. You may view the attachment 333-061-0060.pdf from the Attachments panel. Alternately, you may view the attachments at the following link: https://secure.sos.state.or.us/oard/viewAttachment.action?ruleVrsnRsn=341055