

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action: Do Pass
Vote: 5 - 0 - 2
Yeas: Burley, Cannon, Macpherson, Smith G., Dingfelder
Nays: -
Exc.: Beyer, Jenson
Prepared By: Cat McGinnis, Administrator
Meeting Dates: 4/6, 4/20

WHAT THE MEASURE DOES: Authorizes the Department of Human Services (DHS) to grant variances from specified water treatment techniques when treatment is unnecessary for protecting public health. Requires DHS to announce its intent to grant the variance and either hold a public hearing or notify individual customers by mail or publish notice in the newspaper. Authorizes DHS to grant the variance if no hearing is requested within 10 days of the notice. Requires DHS to notify the US Environmental Protection Agency (EPA) of any variance granted, as required by the federal Safe Drinking Water Act.

ISSUES DISCUSSED:

- DHS primacy for Safe Drinking Water Act
- Cost to City of Portland if clean water variance not allowed

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The federal Safe Drinking Water Act (SDWA) authorizes states to issue two kinds of variances from US EPA drinking water rules. States may issue variances from drinking water standards when, due to the poor quality of all reasonably available raw water sources, water providers cannot meet the standards. Such variances may be issued only when several requirements are met, including imposition of a compliance schedule and regular notification to customers that their water does not meet standards. A second type of variance may be granted when, due to the high quality of raw water sources, SDWA treatment techniques are unnecessary for protecting public health. Oregon currently has enabling legislation to grant only the first type of variance.