

Enrolled House Bill 2187

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Human Services)

CHAPTER

AN ACT

Relating to fees imposed for periodic sanitary surveys of drinking water systems; amending ORS 448.150.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 448.150 is amended to read:

448.150. (1) The Department of Human Services shall:

(a) Conduct periodic sanitary surveys of drinking water systems and sources, take water samples and inspect records to ensure that the systems are not creating an unreasonable risk to health. The department shall provide written reports of such examinations to the local health administrators and water suppliers. **The department may impose a fee on water suppliers to recover the costs of conducting the periodic sanitary surveys.**

(b) Require regular water sampling by water suppliers to determine compliance with water quality standards established by the department. These samples shall be analyzed in a laboratory approved by the department. The results of the laboratory analysis of a sample shall be reported to the department by the water supplier, unless direct laboratory reporting is authorized by the water supplier. The laboratory performing the analysis shall report the validated results of the analysis directly to the department and to the water supplier if the analysis shows that a sample contains contaminant levels in excess of any maximum contaminant level specified in the water quality standards.

(c) Investigate any water system that fails to meet the water quality standards established by the department.

(d) Require every water supplier that provides drinking water that is from a surface water source to conduct sanitary surveys of the watershed as may be considered necessary by the department for the protection of public health. The water supplier shall make written reports of such sanitary surveys of watersheds promptly to the department and to the local health department.

(e) Investigate reports of waterborne disease pursuant to its authority under ORS 431.110 and take necessary actions as provided for in ORS 446.310, 448.030, 448.115 to 448.285, 454.235, 454.255 and 455.680 to protect the public health and safety.

(f) Notify the Department of Environmental Quality of a potential ground water management area if, as a result of its water sampling under paragraphs (a) to (e) of this subsection, the Department of Human Services detects the presence in ground water of:

(A) Nitrate contaminants at levels greater than 70 percent of the levels established pursuant to ORS 468B.165; or

(B) Any other contaminants at levels greater than 50 percent of the levels established pursuant to ORS 468B.165.

(2) The notification required under subsection (1)(f) of this section shall identify the substances detected in the ground water and all ground water aquifers that may be affected.

Passed by House March 19, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate May 24, 2007

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President of Senate

Received by Governor:

.....M,....., 2007

Approved:

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Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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Secretary of State