

House Bill 3469

Sponsored by COMMITTEE ON ENERGY AND THE ENVIRONMENT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes Department of Human Services to grant variances from standards requiring use of specified water treatment technique in certain cases.

A BILL FOR AN ACT

1
2 Relating to water quality; amending ORS 448.135.

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

4 **SECTION 1.** ORS 448.135 is amended to read:

5 448.135. (1) The Department of Human Services may grant variances from standards if:

6 [(1)] (a) There is no unreasonable risk to health;

7 [(2)] (b) The water supplier has provided sufficient evidence to confirm that the best available
8 treatment techniques are unable to treat the water in question so that it meets maximum contam-
9 inant levels;

10 [(3)] (c) The water supplier agrees to notify the customers of the water supplier at appropriate
11 intervals, as determined by the department, why the water system is, or remains, out of compliance
12 with standards;

13 [(4)] (d) The water supplier agrees to adhere to a compliance schedule, if the department pre-
14 scribes one, which outlines how the water supplier intends to achieve compliance with standards.
15 If a schedule is prescribed, it must be reviewed and evaluated every three years; and

16 [(5)] (e) The department has announced its intention to grant a variance and has either:

17 [(a)] (A) Held a public hearing in the affected area prior to granting the variance; or

18 [(b)] (B) Served notice of intent to grant the variance either personally, or by registered or
19 certified mail to all customers connected to the water system, or by publication in a newspaper in
20 general circulation in the area. If no hearing is requested within 10 days of the date that notice is
21 given, the department may grant the variance.

22 **(2) The Department of Human Services may grant variances from standards requiring**
23 **the use of a specified water treatment technique if the department:**

24 **(a) Determines that the use of a specified water treatment technique is not necessary**
25 **to protect the public health based on the nature of the raw water source for a public water**
26 **system;**

27 **(b) Has conditioned the variance as required by the federal Safe Drinking Water Act, 42**
28 **U.S.C. 300g-4;**

29 **(c) Has announced its intent to grant a variance and has either:**

30 **(A) Held a public hearing in the area prior to granting the variance; or**

31 **(B) Served notice of intent to grant the variance either personally, or by registered or**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 certified mail to all customers connected to the water system, or by publication in a news-
2 paper in general circulation in the area. If no hearing is requested within 10 days of the date
3 that notice is given, the department may grant the variance; and

4 (d) Promptly notifies the administrator of the United States Environmental Protection
5 Agency of any variance granted, as required by the federal Safe Drinking Water Act, 42
6 U.S.C. 300g-4.

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