

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 3 - 2 - 0

Yeas: Hass, Prozanski, Dingfelder

Nays: Atkinson, Boquist

Exc.: 0

Prepared By: Beth Herzog, Administrator

Meeting Dates: 3/26, 4/7

WHAT THE MEASURE DOES: Requires that upon accepting an offer, the seller of any real estate that includes a well that supplies ground water for domestic purposes must have the well tested for arsenic. Authorizes the Department of Human Services (Department) to adopt rules requiring additional tests for specific contaminants in specific areas of public health concern. Requires the seller to submit the test results to the Department and to the buyer within 90 days of receiving the results.

ISSUES DISCUSSED:

- Health risks associated with prolonged exposure to arsenic
- Some arsenic in ground water is naturally occurring as a result of volcanic rock formations
- Testing process and cost

EFFECT OF COMMITTEE AMENDMENT: Authorizes the Department to adopt rules to require additional tests for specific contaminants in specific areas of public health concern. Requires the seller to submit the test results to the Department and the buyer within 90 days of receiving the results.

BACKGROUND: As many as 600,000 Oregonians rely on home wells for their drinking water. Since 1989, state law has required that when a property with a well that supplies groundwater for domestic purposes is sold, the well must be tested for nitrate and total coliform bacteria and the results reported to the Department. SB 739A adds arsenic to the list of chemicals that must be tested for and requires that the results be reported to the buyer in addition to the Department. The United States Environmental Protection Agency, through the Safe Drinking Water Act, has long regulated allowable levels of arsenic in public drinking water systems. Exposure to low levels of arsenic in drinking water over long periods of time increases the risk of internal organ cancers.