

Testimony before the House Energy and Environment Committee
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Support for HB 4125

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<p>Founded in 1968, the Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization. We advance innovative, collaborative solutions to Oregon's environmental challenges for today and future generations.</p>
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Oregon Environmental Council (OEC) is advancing HB 4125 because we believe that all Oregonians deserve clean, safe drinking water.

70% of Oregonians get some of their water from groundwater, yet this resource is often overlooked. Most people who have wells never get them tested and don't know whether the water they are drinking is safe. Renters, in particular, lack information on whether their well water is safe for their families to drink.

Statewide, Oregon has a fairly common problem with nitrate, bacteria and arsenic contamination of well water. These contaminants can cause serious health problems such as cancer, miscarriage, thyroid disorders, and in severe cases, death. Women and infants are particularly vulnerable.

HB 4125 pertains to domestic wells, which are defined by the Oregon Health Authority as wells that serve fewer than four connections or fewer than ten people. This may sound insignificant, but 23% of Oregonians—that's 700,000 people—use domestic wells as their primary source of drinking water.

On average, 38% percent of homes in Oregon are tenant-occupied. That percentage is higher in urban counties and lower in rural counties. The counties with the lowest percentage of renters are Columbia, Grant, Wallowa and Crook counties, where as few as 25% of homes are renter-occupied. But even if we use that lowest number and apply it statewide, we could estimate that 25% of the 700,000 people who get their water from domestic wells are renters, or at least 175,000 people. However you look at it, we're talking about tens of thousands of people.

Although Oregon Health Authority recommends that all domestic well owners do a one-time arsenic test and annual nitrate and bacteria tests, owners are currently only legally required to test at the time of a property sale. Unfortunately, compliance with that requirement is low and there is no enforcement mechanism.

Property owners can make their own choices about whether their well water is safe to drink. But under existing law, renters can go many years without knowing the status of their water. HB 4125 seeks to address this problem and ensure that landlords meet their legal mandate to provide potable drinking water to their tenants, by testing for key contaminants and reporting results to both their renters and Oregon Health Authority.

HB 4125 has three primary components:

- Directs Oregon Health Authority to provide funding for voluntary well testing programs and public education;
- Creates a new revolving loan fund to help low-income property owners and landlords repair drinking water wells or install water quality treatment systems if necessary. There is currently no funding source for that; and
- Requires landlords to provide recent well test results for arsenic, bacteria and nitrate to tenants. In addition, consistent with Oregon Health Authority's guidelines, requires landlords to test for arsenic once in the life of the well and yearly for total coliform bacteria and nitrates. If tests come back "clean" for three consecutive years showing no presence of nitrate or bacteria, the landlord can move to a five year testing schedule.

The cost of testing is roughly \$25-50 per chemical, so the average cost over the first three years will be approximately \$4.86-\$9.72 per month. This cost is very small when compared to the high price tag of the many negative health impacts associated with contaminated drinking water.

HB 4125 supports educational programs, creates funding for treating water quality and allows the Oregon Health Authority to acquire more information on groundwater contamination in Oregon.

We appreciate the willingness of the landlord-tenant coalition to work with OEC over the last six months to create a bill that will protect renters and their families AND create well testing requirements that are fair and equitable to property owners.