

HOUSE AMENDMENTS TO HOUSE BILL 2860

By COMMITTEE ON ENERGY AND ENVIRONMENT

April 16

1 On page 1 of the printed bill, line 16, delete “total coliform”.

2 In line 17, delete “bacteria” and insert “E. coli”.

3 In lines 18 through 20, delete the boldfaced material and insert “Tests required under this sub-
4 section must be conducted for drinking water by a laboratory accredited under the program estab-
5 lished under ORS 438.615 using tests allowed under 40 C.F.R. 141.”.

6 On page 2, line 9, delete “shall” and insert “may”.

7 After line 15, insert:

8 “(5) The authority may use moneys from the Safe Well Water Fund established in section 5 of
9 this 2019 Act or moneys otherwise appropriated by the Legislative Assembly to pay for expenses
10 incurred by the authority in administering this section.”.

11 In line 16, delete “(5)” and insert “(6)”.

12 Delete lines 30 through 32 and insert:

13 “(b) Have had the ground water supply of the property tested for drinking water by a laboratory
14 accredited under the program established under ORS 438.615 using tests allowed under 40 C.F.R.
15 141;”.

16 In line 34, delete the period and insert “; and

17 “(d) Not have a ground water treatment system or well subject to regulation under ORS 448.119
18 to 448.285, 454.235 and 454.255, as described in ORS 448.119.”.

19 Delete lines 36 through 38 and insert “section with general information on treatment units, well
20 repair and obtaining third-party certification of treatment units. The”.

21 On page 3, line 9, after “wells” insert “for drinking water by a laboratory accredited under the
22 program established under ORS 438.615 using tests allowed under 40 C.F.R. 141”.

23 In line 27, after “in” insert “ORS 448.271 and”.

24 Delete lines 34 through 45.

25 On page 4, delete lines 1 through 16 and insert:

26 “**SECTION 7.** (1) For each dwelling unit rented by a landlord for which a source of drinking
27 water is a well, the landlord shall collect samples of drinking water in accordance with this section,
28 for the purpose of having those samples tested and, if necessary, water treated, in accordance with
29 rules adopted by the Oregon Health Authority.

30 “(2)(a) A landlord subject to this section must ensure that each well for which drinking water
31 is collected under this section is tested as follows:

32 “(A) The drinking water must be tested for arsenic no later than 30 days after installing the
33 well. If the test results show arsenic levels in the drinking water that exceed the maximum levels
34 adopted by rule by the authority in accordance with national drinking water standards, the landlord
35 shall retest the well according to a schedule set by rule by the authority.

1 “(B) The drinking water must be tested for E. coli, arsenic and nitrates at least once each year.
2 If the results of a test conducted under this subparagraph confirm that drinking water collected
3 under this section contains:

4 “(i) Any amount of E. coli, the landlord must, as soon as practicable, treat the drinking water
5 or repair or replace the well and retest the drinking water to confirm that all E. coli has been re-
6 moved; or

7 “(ii) An amount of arsenic or nitrates that exceeds the maximum contamination level in drinking
8 water as established by the United States Environmental Protection Agency, the landlord must, as
9 soon as practicable, treat the drinking water or repair or replace the well and retest the drinking
10 water to confirm that arsenic and nitrates are at an acceptable level.

11 “(b) If the results of tests conducted under paragraph (a)(B) of this subsection for three con-
12 secutive years confirm that drinking water collected under this section does not contain any E. coli,
13 arsenic or nitrates, the landlord is not required to collect and test drinking water from that well for
14 E. coli and nitrates for the next five years.

15 “(c) If the results of the first test conducted under paragraph (a)(B) of this subsection following
16 a five-year period of a landlord not being required to conduct a test to confirm that drinking water
17 collected under this section does not contain any E. coli, arsenic or nitrates, the landlord is not
18 required to collect and test drinking water from that well for E. coli and nitrates for the next five
19 years.”.

20 In line 41, delete “total coliform bacteria” and insert “E. coli”.

21 On page 5, line 2, delete “total coliform bacteria” and insert “E. coli”.

22 In line 16, delete “total”.

23 In line 17, delete “coliform bacteria” and insert “E. coli”.

24 In line 20, delete “total coliform bacteria” and insert “E. coli”.

25 In line 22, delete “total coliform bacteria” and insert “E. coli, arsenic”.

26 In line 24, delete “total coliform bacteria” and insert “E. coli, arsenic”.

27 In line 30, delete “total”.

28 In line 31, delete “coliform bacteria” and insert “E. coli, arsenic”.

29 In line 36, delete “total coliform”.

30 In line 37, delete “bacteria” and insert “E. coli, arsenic”.

31 On page 6, line 6, delete “total”.

32 In line 7, delete “coliform bacteria” and insert “E. coli”.

33 Delete lines 12 through 15 and insert:

34 “(10) This section does not apply to a dwelling unit that is part of a premises subject to regu-
35 lation under ORS 448.119 to 448.285, 454.235 and 454.255, as described in ORS 448.119.”.

36 In line 20, delete “total coliform bacteria” and insert “E. coli, arsenic”.

37 In line 22, delete “total coliform bacteria” and insert “E. coli, arsenic”.