

Requested by Representative LIVELY

**PROPOSED AMENDMENTS TO
HOUSE BILL 2860**

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
4 required under this subsection must be conducted for drinking water by a
5 laboratory accredited under the program established under ORS 438.615 using
6 tests allowed under 40 C.F.R. 141.”.

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

8 After line 15, insert:

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

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

14 Delete lines 30 through 32 and insert:

15 “(b) Have had the ground water supply of the property tested for drinking
16 water by a laboratory accredited under the program established under ORS
17 438.615 using tests allowed under 40 C.F.R. 141;”.

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

19 “(d) Not have a ground water treatment system or well subject to regu-
20 lation under ORS 448.119 to 448.285, 454.235 and 454.255, as described in ORS
21 448.119.”.

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

4 On page 3, line 9, after “wells” insert “for drinking water by a laboratory
5 accredited under the program established under ORS 438.615 using tests al-
6 lowed under 40 C.F.R. 141”.

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

8 Delete lines 34 through 45.

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

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

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

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

22 “(B) The drinking water must be tested for E. coli, arsenic and nitrates
23 at least once each year. If the results of a test conducted under this sub-
24 paragraph confirm that drinking water collected under this section contains:

25 “(i) Any amount of E. coli, the landlord must, as soon as practicable, treat
26 the drinking water or repair or replace the well and retest the drinking
27 water to confirm that all E. coli has been removed; or

28 “(ii) An amount of arsenic or nitrates that exceeds the maximum con-
29 tamination level in drinking water as established by the United States En-
30 vironmental Protection Agency, the landlord must, as soon as practicable,

1 treat the drinking water or repair or replace the well and retest the drinking
2 water to confirm that arsenic and nitrates are at an acceptable level.

3 “(b) If the results of tests conducted under paragraph (a)(B) of this sub-
4 section for three consecutive years confirm that drinking water collected
5 under this section does not contain any E. coli, arsenic or nitrates, the
6 landlord is not required to collect and test drinking water from that well for
7 E. coli and nitrates for the next five years.

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

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

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

16 In line 16, delete “total”.

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

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

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

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

21 In line 30, delete “total”.

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

23 In line 36, delete “total coliform”.

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

25 On page 6, line 6, delete “total”.

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

27 Delete lines 12 through 15 and insert:

28 “(10) This section does not apply to a dwelling unit that is part of a
29 premises subject to regulation under ORS 448.119 to 448.285, 454.235 and
30 454.255, as described in ORS 448.119.”.

- 1 In line 20, delete “total coliform bacteria” and insert “E. coli, arsenic”.
- 2 In line 22, delete “total coliform bacteria” and insert “E. coli, arsenic”.
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