



## Fact Sheet

# HB 3207—Domestic Well Testing Data Collection

This concept would revise existing real-estate transaction requirements for groundwater quality testing to improve reporting efficiency and data submittal to state public health and environmental protection agencies.

## Background

Nearly one quarter of Oregonians rely on domestic wells as their primary source of drinking water. Contamination of wells by bacteria, nitrates, arsenic or other pollutants can pose a serious health threat, particularly in underserved communities that lack resources to conduct independent testing.

Currently, a seller is required to test a domestic well and report its quality within 90 days of a real estate transaction to the buyer and OHA. These testing results are intended to provide the state with information that may be used in support of in the administration of ORS 468B.150 to 468B.190, which may include identifying areas of groundwater concern and to support decision making on where to devote limited state resources for more comprehensive groundwater monitoring assessments. Recent estimates indicate testing results are only reported to the state in fewer than 10% of applicable transactions. Evidence suggests that test sampling and subsequent submittal of data to the potential buyer may be occurring at a much higher rate, but that transmittal of data to the state could be vastly improved by making modest changes to the law.

## Proposed Solution

This concept would amend ORS 448.271 to revise existing real-estate transaction requirements for groundwater quality testing and reporting to state with the goal of increasing the amount of information reported. Rather than requiring a seller to transmit the data, the concept would require the labs performing the testing to transmit results to DEQ at the same time they release the information to the seller. The concept would also provide staffing and data infrastructure support at DEQ for data processing and making the data accessible to the public.

Variations of this concept have been considered in prior sessions, most recently HB 4077 of 2020, but the concept DEQ is proposing would not include the more controversial elements of that bill, such as requiring new testing requirements. OHA is a co-sponsor of this legislative concept.

## Anticipated Fiscal Impact

There would be a minor fiscal impact at DEQ (0.88 FTE, limited-duration; 0.5 FTE ongoing) associated with developing reporting templates, conducting outreach to labs, receiving groundwater quality test results from and processing the data for inclusion into the agency's database and for public availability.

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