



ORELAP Accredited Lab #100039/EPA OR00008

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To: House Committee on Water
Representative Ken Helm, Chair
Email: hwtr.exhibits@oregonlegislature.gov

Re: HB4077 – Safe Well Water Bill – Oppose

My name is Beth Myers. I reside at 6595 Aumsville Hwy. SE, Salem, OR 97317. I started an accredited environmental laboratory, Waterlab Corp., in 1977.

I am:

- Founding member of Oregon Environmental Laboratory Association (OELA)
- Treasurer for OELA for over 20 years
- OELA representative to Oregon’s Drinking Water Advisory Committee for over 10 years
- Part of the group of people (led by Gail Shibley and Dave Leland) who wrote the original bill referred to here so am well aware of the intent of it.

This goal of HB4077 is an attempt to make someone send in some data. That’s all. But there’s no recognition that there are bigger problems than this data not being sent in. There is already an ORS and OAR that handle sending in this data. The amendment to HB4077 to remove DEQ use of the data makes the bill more ineffectual overall by removing any purposeful use of the data. The data could be useful but it needs management and sorting long term, not just automatic addition to the data bank.

Thus HB4077 serves NO purpose since this is NOT the way to handle this problem or obtain the results described as desired.

I request that the committee cancel this bill and allow stakeholders to meet in future to discuss more viable ways to go over the perceived problem(s) and work toward a remedy. The labs cannot spend hours and hours looking up details on testing that costs between \$130 and \$150. That will bump the cost to over \$200+ as time is added on for more office staff needs to obtain the information listed. And doing this will slow down the real estate transactions process. That is NEVER a good thing.

I say this because:

- 1) There is NO emergency. This has been stated by the supporters of the bill when asked. Despite the untruth of the “emergency” label, it continues to be applied to this bill.

If there were truly an emergency even in the private well waters of Oregon, wouldn't the sanitarians and other public health officials of the state be here for this bill? It is offensive, even if it is a legislative maneuver.

- 2) E. coli already part of the testing in real estate transactions. E.coli is part of the coliform test, not a separate test. That's not new.
- 3) There's already a requirement for buyers to provide sellers with results and also provide results to Health Division. Currently the Health Division gives the reports to the DEQ. That's not new. **This is just the step that is not occurring often enough.**
- 4) Neither the original bill NOR HB4077 provide anyone to oversee the results for health purposes. The Domestic Well Safety mapping (where these results end up) show Arsenic results over 700 ppm (70 X the EPA limit) on the map but there is no remediation involved. No one that I know of has had townhall meetings in that area informing well owners. That's not new.
- 5) The DEQ representative stated openly that the data is not useful. As I stated in the first hearing, it is a corrupted data bank because so much data from treated water has been sent in. It was supposed to be a data bank of untreated, raw ground water. It is not.

Lenders only want to lend \$\$ on properties that have water tests that pass standards. That means when water does not meet standards, treatment is usually put on, and the water re-tested, then THOSE results are submitted to everyone, including the Health Division.

- 6) It will not help to have the labs send in data or have it sent faster (emergency status). It is still tainted data. The labs hardly know anything about these samples. Normally these samples come through a pump company or well company, but those companies also are bringing samples to figure out if treatment is needed on a well, then there are samples after treatment, samples after well deepening or other well work. The field staff is also not usually informed if a home sale is involved, so they can't tell us even if we were to ask. And these are just a small portion of our daily clientele. A lab gets samples day after day after day. We have more rules than medical labs so processing takes quite a while and then the tests have to be run. When would there be time to make calls on all these samples to find out if it is a home sale and obtain all that info?
- 7) The lab doesn't know:
 - a) If the sample is for a home sale with a well (sometimes people with springs also have this testing done for home sales)
 - b) Name of buyer
 - c) Name of seller
 - d) If the water sample is after treatment
 - e) The ID# of the well or well log (or if it is a spring and should not be sent in at all)

Please do not send this bill forward.