

**Testimony to the House Committee on Agriculture, Land Use, Natural
Resources and Water
On HB 3207**

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Founded in 1968, the Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization. We advance innovative, collaborative and equitable solutions to Oregon's environmental challenges for today and future generations.

OEC supports the HB 3207 base bill and the -1 Amendment to that bill. OEC is neutral on the -2 amendments.

Domestic wells are not covered under the Safe Drinking Water Act. There are no water quality protections in place for domestic wells. Testing and reporting at the time of sale is one way to convey groundwater water quality information to homeowners and to the state agencies.

The Domestic Well Testing Act of 1989 ([ORS 448.271](#)) applies to the sale or exchange of real estate with a domestic well. However, the Real Estate Transaction program (RET), is not delivering its intended outcomes, as it is estimated that less than 10% of required well water test results are reported to the state.

The issues at stake in HB 3207 are simply 1) who reports and 2) to what agency. There are no new reporting requirements, as this information is already required to be shared with the state by the seller of any property with a domestic well.

- Who reports: sellers of property with domestic wells are supposed to report the results of drinking water tests to the state. Under HB 3207 the accredited labs doing the testing will report those results, thus accurately capturing the required information. HB3207-1 makes clear that this is a chain of custody practice required of the labs, not a “tattletale” situation where the labs are inappropriately sharing confidential information. DEQ can work with Oregon Environmental Laboratory Accreditation Program (ORELAP) and Oregon's 19 accredited water quality testing labs to insure an efficient, easy to use chain of custody reporting form that will ensure confidentiality while providing the required information to the state.
- Who gets the reports: In the past, reports were supposed to go to OHA who shared them with DEQ. HB 3207 shifts the responsibility for receiving those reports to DEQ, as the agency responsible for managing groundwater quality. Again, which agency receives the drinking water test results is the only change HB 3207 makes to current law.

The intent of the RET was never to replace standardized and accepted groundwater monitoring practices with drinking water test results. The intent is to have reported well water test info act as a “early warning system” for the agency, alerting them to areas that might need more focused and formal monitoring for nitrates, E coli, and arsenic in order to protect water quality and public health.

HB 3207 is about protecting public health and groundwater quality for rural Oregonians. OEC urges you to support HB 3207-1.

