



NEILSON RESEARCH CORPORATION

Environmental Testing Laboratory

Testimony in Opposition of House Bill 3207

April 4, 2023

Chair Helm, Vice chairs Hartman and Owens and members of the committee.

My name is Kim Ramsay, and I am the Vice President and co-owner of Neilson Research Corporation, the largest ORELAP accredited environmental laboratory in Oregon. I am in opposition on HB 3207 as well as the dash 2 and dash 3 amendments.

I have been serving the laboratory community for the State of Oregon and Nationally for over two decades by my participation on the following committees. With this, I am one of two ombudsmen for the Oregon Environmental Laboratory community.

National - Current

- Vice Chair, American Council of Independent Laboratories (ACIL) Environmental Science Section Executive Committee (ESS)

State of Oregon - Current

- Board Secretary, Oregon Environmental Laboratory Association (OELA)
- Committee Member, ORELAP Technical Advisory Committee (OTAC)
- Committee Member, ORELAP Rules Advisory Committee (RAC)
- Committee Member, Oregon Health Authority's Drinking Water Advisory Committee (DWAC)

I specifically wanted to address the dash 2 and dash 3 amendments that were submitted late last week. Laboratories have spent years creating and fine-tuning their chain-of-custody forms to include all of the information that is required for our accreditation as well as our methods. Requiring us to either use a DEQ form that may not include every piece of information that each lab needs or to change our current forms and include additional information on a form already full, will lead to many issues. These include financial burdens to reprint forms, labor to create new forms, and client confusion about which form to use.

The dash 3 amendment seems like a good thing at first glance, but once the data is sent to the state, it becomes public record which can be requested by the anybody. So just because the results aren't available on a publicly accessible database, it can still be obtained.

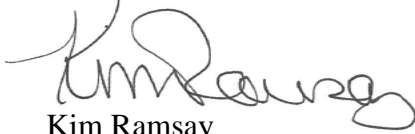
The current rule, as it is written, is lacking much more than the ability for the State to receive data. It lacks enforceability and limits the buyer from receiving the data. For example, it states "Failure of the seller to test will not interfere with the sale of the property." This gives the seller the ability to waive the testing altogether. It also states "The seller or seller's designee must submit the results of the required tests to the Authority and to the buyer within 90 days of receiving the results of the tests." It can almost be guaranteed that every buyer will be in their home well before 90 days and likely without data for their new well. Why is it more important for the DEQ to receive the data, over the new landowner that will actually be drinking the water?

I am also very concerned about the financial and undue stress this will put on the Oregon environmental laboratory community.

There is very little profit in the environmental laboratory industry. Employees are paid comparable wages to fast food and retail, yet have 4-year college degrees. Laboratories across the country are struggling with staffing. The price of the real estate package is only \$115.00. After the cost to run the analysis labs are left with a profit of roughly \$19.00. If this bill goes through, labs would have to spend more time on client services to qualify their clients, amend their forms and enter additional data into a DEQ database. By doing this, the profit will likely be reduced to \$4.00 per package and therefore laboratories will all be forced to increase the fees.

With laboratories increasing the prices of the analyses to offset these labor requirements; a fiscal impact statement should be done to reflect the increased cost to the citizens of the State.

Thank you for your time and consideration,

A handwritten signature in black ink, appearing to read "Kim Ramsay". The signature is fluid and cursive, with a large loop at the end.

Kim Ramsay
Vice President
Neilson Research Corporation