

**Testimony to the House Committee on Agriculture, Land Use, Natural  
Resources and Water  
On HB 3525**

**February 17, 2025**

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

**Oregon Environmental Council supports HB3525, because all Oregonians  
deserve clean, safe drinking water.**

While renters in areas served by water delivery utilities have the protections offered under the federal Safe Drinking Water Act, renters in homes served by domestic wells are not protected from the impacts of contaminated drinking water. (Domestic wells are defined as wells that serve fewer than four connections or fewer than ten people.) HB 3525 will require landlords to test domestic wells for arsenic, total coliform, nitrates and lead. The landlord must share those test results with their tenants within 30 days of receiving the test results. In addition, the test results must be shared with the state. (NOTE: The original version of this bill requires the results to be shared with DEQ, but after conversations with the agencies, amendments will shift that to OHA.)

70% of Oregonians get some portion of their water from groundwater, and approximately 23% of Oregonians use domestic wells as their primary source of drinking water. (Domestic wells are defined as wells that serve fewer than four connections or fewer than ten people.) Unfortunately, domestic well water can be contaminated by bacteria, nitrates, arsenic and other minerals like lead and mercury. These contaminants can cause serious health problems such as cancer, miscarriage and thyroid disorders. Pregnant women and small children are particularly at risk from nitrate exposure, especially infants because their digestive and enzyme systems are not fully developed. Infants can suffer from "Blue Baby Syndrome" which decreases the ability of blood to carry oxygen and can be fatal. Statewide, Oregon has a fairly common problem with nitrate, arsenic and bacteria contamination of well water.

The number of tenant-occupied properties where the source of water is a domestic well is not insignificant. Rental properties with domestic wells are most often rural residences, and their occupants may be low-income or members of otherwise marginalized groups. They may lack access to healthcare due to income or distance to healthcare facilities. Property owners can make their own choices about whether their well water is safe to drink, installing filtration or buying bottled water if their wells are contaminated. But under existing law, renters can go many years without knowing the

status of their water. HB 3525 seeks to address this problem and ensure that landlords meet their legal mandate to provide safe drinking water to their renters.

Amendments to the introduced bill will require samples be taken from the primary faucet used for drinking and cooking water rather than the well head. This is the reason for testing for lead, in addition to tests for arsenic, total coliform, nitrates. Landlords must share test results with tenants within 30 days of receiving the test results.

Depending on the outcomes of the tests, the landlord may be required to test annually or less frequently if no contamination is found. Where contaminants are found, the landlord will be required remediate by treating the water, repairing faulty water delivery components, or supplying bottled water.

Landlords will also be required to share the results of the latest round of testing with prospective tenants prior to assessing a screening charge or entering into a rental agreement.

Reporting testing information to OHA lets the agency provide educational materials, do outreach to affected communities, and generally support domestic well drinking water users.

Thank you for the opportunity to share OEC's testimony with you. **Oregon's goals of having safe, clean and plentiful drinking water for all will be well-served by passing HB 3525.**