

Written Testimony in Favor SB 1154

Senate Committee on Natural Resources and Wildfire

April 8, 2025

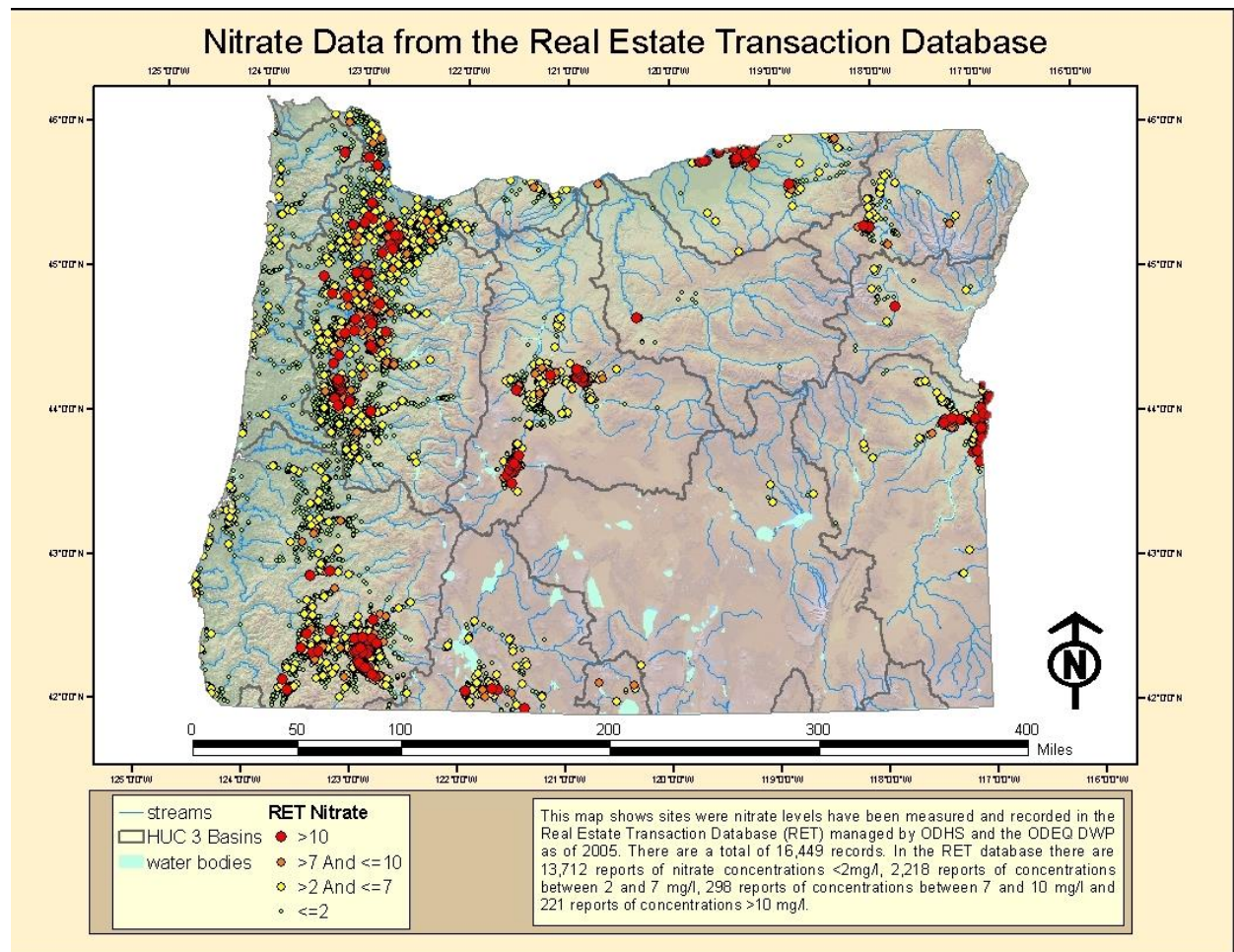
Submitted by Greg Pettit

Dear Chair Golden and Vice-Chair Nash and members of the Committee,

My name is Greg Pettit. I retired from DEQ in 2014, after working for DEQ for over 37 years. My positions included 12 years as the Administrator of the Laboratory and Environmental Assessment Division, and 11 years as the Manager of the Water Quality Monitoring Section. Most importantly, however, in 1986 I conducted a statewide survey of Agricultural Chemicals in groundwater. The survey found widespread contamination of private drinking water wells throughout the state with nitrate, arsenic and pesticides well above health based drinking water standards. In 1987 I became the Agency Groundwater Quality Coordinator and was the lead for the development of the Oregon Groundwater Quality Protection Act that was adopted in 1989. I hope you will consider the following facts in making your decisions on SB 1154.

1. **Statewide Problem:** The contamination of private drinking water wells with nitrates, arsenic and pesticides well above health-based drinking water standards is common throughout the state. Not just in the Lower Umatilla basin. I have attached below a map showing the results of the testing of private wells for nitrates at the time of property transfer as of 2013. Red circles are wells with concentrations above the 10 mg/l drinking water standard. As you can see, high levels of nitrates are a statewide problem. The Willamette Valley and the Ontario areas are just or nearly as bad as the lower Umatilla Basin. The Rogue Valley, LaPine, Prineville and Klamath Falls area have significant numbers of wells above standards as well.

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I summarize the results of 45 regional groundwater quality assessments DEQ conducted up to the time of my retirement in 2013:

- Significant groundwater contamination detected in 35 out of 45 regional assessments
- 17% of 1010 wells sampled for arsenic exceeded the MCL of 10 parts per billion
- 16% of 3199 sampled for nitrate exceeded the MCL of 10 parts per million
- 67% of wells sampled in Malheur County contained the pesticide Dacthal with concentrations up to 32 times the health advisory level
- Random sampling indicates 33 % of rural drinking water wells in Willamette Valley contain detectable pesticide contamination with up 15 different pesticides detected

Since my retirement DEQ has conducted 4 additional regional assessments, all have found contaminants above drinking water standards in private wells, although not to extent found in lower Umatilla, Willamette Valley and Northern Malheur County.

2. **Public Health Protection Missing:** When you consider that DEQ and real estate transfer testing is only a small fraction of the 800,000 people in Oregon who get their drinking water from private wells, thousands if not tens of thousands of Oregon residents are drinking water unsafe due to contaminants. We know from talking to residents in the Lower Umatilla basin, that until they were recently contacted, most did not know their wells were contaminated nor the risk to their health the contamination caused. In many areas of the state many affected are low income, often Hispanic, and widely dispersed. We know where the contamination is, we know it exists above standards, but with the recent exception of the lower Umatilla basin and some work by OSU in Willamette there has been almost no public outreach in the rest of the state to educate, provide health advice, testing, or alternative water supplies. The DEQ and the Oregon Health Authority have completely failed to meet their responsibilities to adequately protect some of our most vulnerable citizens. This is an environmental justice issue of great concern.
  
3. **State Agencies Have Consistently Ignored Issue:** DEQ and Oregon Health Authority have not adequately made this a priority and in doing so endanger public health. When the Groundwater Quality Protection Act was passed in 1989, it was funded to the tune of 1.9 million dollars, created a DEQ Groundwater Quality Section and funded work in other agencies. Within 5 years, DEQ abolished the Groundwater Section, and transferred the funding elsewhere. The work of implementing the Groundwater Quality Protection Act was transferred to staff with other responsibilities. There was no overall leadership for the Groundwater Quality Program. There are three areas declared Groundwater Management Areas (GWMAs): Northern Malheur County, Lower Umatilla Basin, and Southern Willamette Valley. Of these three areas, there has been little improvement, Umatilla worse, Willamette the same, Malheur slightly better. Only the Lower Umatilla Basin still has an active Local Advisory Committee or recent updates on the DEQ website, the most recent update for Malheur was 2020 and Willamette 2004. Why is this? Several reasons: no Federal regulatory driver, neither the Clean Water Act, nor the Safe Drinking Water Act address private well contamination; huge social power gap, the victims of this pollution are dispersed, often unaware, and in an area with an economy dominated by agri-business with some of the most powerful lobbying organizations in the state. The political and regulatory pressures drive the agencies to divert their resources to those other programs with far greater pressure.

Part of the reason for lack of prioritization is no obvious dead bodies. Any exceedance of a drinking water standard is, by definition, a health risk. The health effects are from chronic exposure, and result in increases in the population of ailments with many possible contributing factors, making it impossible to say this nitrate or pesticide was the direct cause. The standards reflect the best available scientific information indicating that when

exceeded the water poses an unacceptable health risk. The water could not be served in a public water supply system.

**Summary:** I strongly support the adoption of SB 1154. Groundwater Contamination of private drinking water wells is a serious public health risk. The passage of this bill will help mitigate those risks. If this bill does not pass Oregon should greatly increase efforts to address this issue under existing authorities.

Thank you for considering my comments.