

Senate Bill 27

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes Oregon Health Authority to adopt by rule schedule for fees assessed on water suppliers to partially defray costs of authority related to performance of duties under Oregon Drinking Water Quality Act.

A BILL FOR AN ACT

1
2 Relating to Oregon Drinking Water Quality Act fees; amending ORS 448.150.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 448.150 is amended to read:

5 448.150. (1) The Oregon Health Authority shall:

6 (a) Conduct periodic sanitary surveys of drinking water systems and sources, take water samples
7 and inspect records to ensure that the systems are not creating an unreasonable risk to health. The
8 authority shall provide written reports of the examinations to water suppliers and to local public
9 health administrators, as defined in ORS 431.003. [*The authority may impose a fee on water suppliers*
10 *to recover the costs of conducting the periodic sanitary surveys.*]

11 (b) Require regular water sampling by water suppliers to determine compliance with water
12 quality standards established by the authority. These samples shall be analyzed in a laboratory ap-
13 proved by the authority. The results of the laboratory analysis of a sample shall be reported to the
14 authority by the water supplier, unless direct laboratory reporting is authorized by the water sup-
15 plier. The laboratory performing the analysis shall report the validated results of the analysis di-
16 rectly to the authority and to the water supplier if the analysis shows that a sample contains
17 contaminant levels in excess of any maximum contaminant level specified in the water quality
18 standards.

19 (c) Investigate any water system that fails to meet the water quality standards established by
20 the authority.

21 (d) Require every water supplier that provides drinking water that is from a surface water
22 source to conduct sanitary surveys of the watershed as may be considered necessary by the au-
23 thority for the protection of public health. The water supplier shall make written reports of such
24 sanitary surveys of watersheds promptly to the authority and to the local health department.

25 (e) Investigate reports of waterborne disease pursuant to ORS 431.001 to 431.550 and 431.990 and
26 take necessary actions as provided for in ORS 446.310, 448.030, 448.115 to 448.285, 454.235, 454.255
27 and 455.680 to protect the public health and safety.

28 (f) Notify the Department of Environmental Quality of a potential ground water management
29 area if, as a result of its water sampling under paragraphs (a) to (e) of this subsection, the authority
30 detects the presence in ground water of:

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (A) Nitrate contaminants at levels greater than 70 percent of the levels established pursuant to
2 ORS 468B.165; or

3 (B) Any other contaminants at levels greater than 50 percent of the levels established pursuant
4 to ORS 468B.165.

5 (2) The notification required under subsection (1)(f) of this section shall identify the substances
6 detected in the ground water and all ground water aquifers that may be affected.

7 **(3)(a) The authority by rule may adopt a schedule of fees to be assessed on water sup-**
8 **pliers to partially defray the costs of the authority related to performance of the duties**
9 **prescribed by ORS 448.119 to 448.285, 454.235 and 454.255. The fee schedule shall be graduated**
10 **based on the size and type of the water system owned or operated by a water supplier.**

11 **(b) Not more than once each calendar year, the authority may increase the fees estab-**
12 **lished by rule under this subsection. The amount of the annual increase may not exceed the**
13 **anticipated increase in the costs of the authority related to performance of the duties pre-**
14 **scribed by ORS 448.119 to 448.285, 454.235 and 454.255 or three percent, whichever is lower,**
15 **unless a larger increase in fees is provided for in the authority's legislatively approved**
16 **budget.**

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