

Secretary of State

NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Human Services, Public Health Division

Chapter 333

Agency and Division

Administrative Rules Chapter Number

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Rules Coordinator

Address

Telephone

RULE CAPTION

Public drinking water system compliance and domestic well testing

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

March 10, 2010

1:00 PM

800 NE Oregon Street, Room 1C, Portland, OR 97232

Jana Fussell

Hearing Date

Time

Location

Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND: 333-061-0005, 333-061-0010, 333-061-0015, 333-061-0020, 333-061-0030, 333-061-0032, 333-061-0034, 333-061-0036, 333-061-0040, 333-061-0042, 333-061-0043, 333-061-0045, 333-061-0050, 333-061-0055, 333-061-0057, 333-061-0058, 333-061-0060, 333-061-0061, 333-061-0062, 333-061-0063, 333-061-0064, 333-061-0070, 333-061-0071, 333-061-0076, 333-061-0090, 333-061-0220, 333-061-0228, 333-061-0230, 333-061-0235, 333-061-0245, 333-061-0265, 333-061-0290, 333-061-0305, 333-061-0310, 333-061-0325, 333-061-0330, 333-061-0335

REPEAL: 333-061-0215, 333-061-0295, 333-061-0315, 333-061-0320

RENUMBER:

AMEND & RENUMBER:

Stat. Auth. : ORS 448.131

Other Auth.: ORS 431.110, 431.150, 448.115 through 448.285, 448.407

Stats. Implemented: ORS 448.271

RULE SUMMARY

The Department of Human Services, Public Health Division is proposing to amend Oregon Administrative Rules 333-061-0010 through 333-061-0325 to comply with changes made to ORS 448.271 during the 2009 legislative session, to amend accredited laboratory and mandatory reporting criteria, and to amend the scope of the public water system definition in response to activity completed during the 2009 legislative session. Amendments also reflect housekeeping changes related to federal regulations published in the January 4, January 5 and November 8, 2006 Federal Registers. These proposed rule amendments are necessary for state primacy requirements relating to surface water treatment requirements, microbiological monitoring requirements for water systems supplied by groundwater sources, monitoring requirements for disinfection byproducts, variances from treatment techniques, and lead and copper monitoring and public education requirements. Some housekeeping changes are also proposed for reorganization and clarification of the rules

division. Four rules are being repealed because they are redundant and duplicate other rules within the division. One rule change includes the possibility of additional fees if a community water system's population is greater than four times its number of service connections, and also the possibility of late fees if sanitary surveys fees are not paid in a timely manner.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

March 19, 2010 by 5 p.m.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

Signature

Printed name

Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

DRAFT