

TESTIMONY OF

**Karl Rockeman, Director of Water Quality**

Good morning Chairman Burckhard and members of the Senate Political Subdivisions Committee. My name is Karl Rockeman, and I am the director of the Division of Water Quality within the North Dakota Department of Environmental Quality. The Division of Water Quality protects and monitors our water resources to ensure the quality of surface and groundwater for the public's use. I am here to testify in support of HB 1059.

We support the addition of the requirements to contact 911, the operator, and the state in the event of a release. Releases of flammable, toxic or corrosive gases and liquids can present an immediate threat to life and health that requires an emergency response and may also require a state level response.

My comments will focus on the responsibility and process for the state notification. Timely notification is important for the response and investigation of a release. It makes sense that the party responsible for the release also bears the responsibility for reporting it. They are in the best position initially to provide the who, what and where details. Minimizing the links in the communication chain reduces the chance of a notification failure. Concerns about duplicate reports or adding updated information that may become available later can be easily addressed through existing process, as is current practice.

Also, due to the extensive outreach regarding one-call notice requirements, this section of code is likely familiar to excavators, and currently reads as a checklist of steps to take in the event of a third-party release.

For these reasons, the DEQ supports this commonsense addition to code and asks for a due pass recommendation. This concludes my testimony and I would be happy to answer any questions.