

## Testimony Presented on HB 1348

House Legislative Assembly  
Representatives Cory, Becker, D. Ruby, M. Ruby, Skroch, Tveit  
Senator O. Larson

James Hausauer, Water Reclamation Utility Director *JA*  
City of Fargo  
January 25, 2021

Mr. Chairman and Members of the Committee,

The City of Fargo OPPOSES House Bill 1348.

**Testing of wastewater – Limitation.**

Water or other material in any wastewater disposal system may not be tested for genetic material or evidence of disease.

I do not understand the intent behind this proposed bill; however, I can imagine a number of concerns if this bill were enacted. This bill would contradict goals and requirements of the North Dakota Department of Health and the Environmental Protection Agency (EPA). The requirements of the North Dakota Pollution Discharge Elimination System (NDPDES), which is in compliance with Chapter 33-16-01 of the North Dakota Department of Health rules as promulgated under Chapter 61-28 (North Dakota Water Pollution Control Act) of the North Dakota Century Code. Publicly Owned Treatment Works (POTW's) are authorized to discharge treated wastewater to receiving streams, provided the conditions of the permit are met. Those conditions include routine testing of parameters to protect ground water/surface water from pollution and sources of disease. Without establishing and enforcing wastewater discharge standards, upstream dischargers (polluters) can damage and alter downstream drinking water sources, making treatment more expensive, thus potentially leading to illness.

**CONCLUSION.** The Water Reclamation Utility Director of the City of Fargo OPPOSES House Bill 1348.

Introduced by

Representatives Cory, Becker, D. Ruby, M. Ruby, Skroch, Tveit

Senator O. Larsen

- 1 A BILL for an Act to create and enact a new section to chapter 23.1-07 of the North Dakota  
2 Century Code, relating to prohibiting the testing of wastewater for genetic material or evidence  
3 of disease; and to provide a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 23.1-07 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Testing of wastewater - Limitation.**

8 Water or other material in any wastewater disposal system may not be tested for genetic  
9 material or evidence of disease.