

Testimony  
*To the*  
**Senate Industry, Business, and Labor Committee**  
*on*  
**SB 2253**

Good morning, Chairman Larsen and members of the committee. I am Daphne JohnsonClark, Team Leader for Environmental Health Services for Upper Missouri District Health Unit and have been with UMDHU since 2003. UMDHU provides local public health services to Divide, McKenzie, Mountrail, and Williams counties. I have a staff of 2 Environmental Health Practitioners. One staff member is trained to do site evaluations, inspect onsite septic systems for proper installation and/or repair, work with homeowners and contractors to develop septic plans, and to license contractors. She has completed several trainings including with University of Minnesota Onsite Sewage Treatment Program, attended in state trainings and conferences to obtain continuing education credits to maintain state EHP and working towards national REHS credential. In 2021 we issued 165 permits issued for septic systems. There were 103 contractor licenses in 2022.

I am neutral on SB2253. I had the privilege to serve on the Onsite Wastewater Technical Committee during the interim. I feel there we worked hard in a short period of time that being, said there are still some items that need to be worked through.

I was at the health unit during the oil boom and I believe that gives me a unique perspective on two important areas: Having all stakeholders at the table and being able to maintain flexibility to adjust to local issues in a timely and effective manner.

1. Section 2, Board Appointment 2. Removing Public Health off the board after August 1, 2024, would then put the installers alone in charge of the code that Public Health would need to enforce. Public Health will play a critical roll, as you can see from the duties assigned in the bill, in the success or failure of this moving forward and we need to have representation.
2. Section 2, Statewide Technical guide 2.c. Circumstances under which a registered professional engineer shall prepare plans and specifications is an area where Department of Environmental Quality (DEQ) should be involved as this is part of their regulations. This is why their membership on the Board is so important. During the oil boom DEQ and UMDHU worked closely together on septic issues as it was one of the largest public health issues at that time. Our working together as a team was indispensable.
3. Soils and terrain differ across the state and each local area need the ability to be stronger than the technical guide. There needs to be an addition that allows this. This was another insight I gained during the oil boom. Our code had to be changed during this time many times as gaps would become apparent, and fixes needed to be put into place. For example: our regular installers knew that bed systems would not work in our soils however new installers coming in that used them in other areas were trying to put them in. We then had to make an addition to our code that disallows bed systems unless they consult with us prior to installation and we confer on if that will work or not. Once again during this time and many changes our partnership with DEQ was important. When I started at the health unit in 2003 at UMDHU we issued 40 septic permits and I remember the individual I worked with was excited because that meant we

were growing. In 2012 We permitted 1099 systems at the height of the boom. These are the changes that public health needs to remain flexible to meet at a local level.

Thank you for your time.