

TESTIMONY OF

**David Bruschwein, Director of Municipal Facilities Division**

Good afternoon, Chairman Schauer and members of the House Government and Veterans Affairs Committee. My name is David Bruschwein, and I am the Director of the Division of Municipal Facilities at the Department of Environmental Quality (DEQ). I am here to testify in support of House Bill 1445.

The DEQ worked with the Parks and Recreation Department in developing a similar bill, House Bill 1121, which the Parks and Recreation Department requested to be killed in anticipation of House Bill 1445. This bill still addresses our concerns about the possible impact on public drinking water and wastewater systems. Because a “pre-engineered structure” includes “components”, the DEQ had concerns that this definition could cover drinking water system components incorporated into walls such as a water feed and backflow prevention to a chemical feed pump.

To avoid any future confusion and prevent possible loopholes in the State’s drinking water regulations, the DEQ and Park and Recreation agreed to add an exemption in the pre-engineered structure definition. It states, “The term does not include any infrastructure regulated under chapters 23.1-01 and 61-28.1”, which are the drinking and wastewater chapters in Century Code. This exemption has also been incorporated in House Bill 1445.

The DEQ supports House Bill 1445, and I would be happy to answer any questions.