

Submitter:	Steven Hammer
On Behalf Of:	WCSPA
Committee:	Senate Committee On Natural Resources and Wildfire
Measure, Appointment or Topic:	HB3814

My name is Steven Hammer. I'm from Portland, Oregon and work for SLR International Corporation. I am a chemical engineer and Oregon-licensed Professional Engineer who has provided wastewater permitting and treatment consulting services to multiple seafood processors in Oregon for over 20 years of my 34-year career as an environmental engineering consultant. I am testifying in support of HB 3814 because it is critical to the survival of seafood processors in Oregon. It is also supported by sound science.

I participated in the seafood industry's discussions with DEQ in 2023 and 2024 regarding seafood wastewater discharge permitting. Mixing zones and bacteria were a major topic of discussion during those talks. DEQ has made it clear that they interpret seafood processing plants to be "fecal sources"; and, based on this interpretation, the DEQ has determined that seafood processing plants are not allowed to have a mixing zone for bacteria. I believe that this is an incorrect interpretation of the bacteria water quality standard, and HB 3814 is needed to clarify that wastewater discharges from seafood plants should be eligible for a mixing zone, as is the case in Washington and other states.

This bill is needed to dispel any doubt that seafood processing plants are eligible for mixing zones. These plants are not "fecal sources" (do not contain human sewage); and, therefore, wastewater discharges from seafood processing plants are eligible for mixing zones for bacteria. The water quality standards for bacteria were established by EPA and adopted by DEQ to protect people from exposure to human pathogens potentially present in human sewage. It is important to recognize that the bacteria groups for which wastewater is tested, i.e. fecal coliform and Enterococcus, are organisms that were selected to be "indicators" of potential for human sewage. These bacteria groups consist of many different strains of bacteria that are naturally present in a wide variety of animals and the environment in general, and they are commonly present in the environment even in the absence of human sewage.

We know that the bacteria in seafood plant wastewater is not from human sewage. Bathrooms in seafood plants are connected to the local sanitary sewers, and DNA testing of wastewater from two seafood processing plants showed that bacteria in the wastewater was not from humans, gulls, or other warm-blooded species.

Because we know there is no human sewage in the wastewater, the potential health risk related to exposure to human pathogens is much lower than for wastewater from

a sewage treatment plant, and the prohibition of mixing zones for a sewage treatment plant should not apply to a seafood processing plant. Any bacteria that is present in seafood plants is either related to fish, which naturally live in and eliminate waste in Oregon waters; to gulls, which naturally live around and eliminate waste in Oregon waters; or to environmental bacteria simply living in the environment.

The USEPA has acknowledged that the presence of indicator bacteria from non-human sources signals a much lower risk than that from human sources in Technical Support Materials: Developing Alternative Recreational Criteria for Waters Contaminated by Predominantly Non-Human Fecal Sources (EPA 822-R-24-013, July 2024). This EPA document encompasses the most recent science on this topic.

I encourage the passage of HB 3814.