EBC New Hampshire Briefing from the New Hampshire Department of Environmental Services Divisional Leadership

Wifi password: nu11guest
Welcome

Robert Varney

Chair, EBC New Hampshire Chapter
President, Normandeau Associates, Inc.
Program Introduction & Overview

Harry Stewart

Program Co-Chair
Senior Associate, Normandeau Associates, Inc.
NHDES Divisional Leadership

Craig A. Wright

Director, Air Resources Division
Department of Environmental Services
State of New Hampshire
Presentation to NH EBC

2018 Priorities and Emerging Issues

Craig A. Wright
Director
NH Department of Environmental Services
Air Resources Division

January 23, 2018
Summary of Topics

- Status of Air Quality in NH
- Rules/Program Updates
- RGGI Program Updates – Post 2020
2018 NHDES Air Monitoring Network

- Ozone \((O_3)\) 12
- Carbon Monoxide (CO) 2
- Nitrogen Dioxide (NO\(_2\)) 1
- Particles (PM\(_{2.5}\) 7 and PM\(_{10}\) 1)
- Sulfur Dioxide (SO\(_2\)) 4
Ozone and small particles (PM$_{2.5}$) can both reach concentration in NH that are unhealthy for sensitive groups (USG).

- **Ozone** is usually a concern during the spring through fall, warm weather season
- **PM$_{2.5}$** is of greatest concern during colder weather periods when wood may be burned for residential heating

- **Number of USG days in NH**

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NOx Emissions in New Hampshire (Tons Per Year)
Ozone – The Future

- We need to continue to work on Ozone Transport from Upwind States
  - EPA has denied the 176A Petition to Expand the OTR
- We must achieve more emission reductions from mobile sources – RISK = EPA is Currently Reviewing the California Waiver
- We need EPA to replace the Clean Power Plan
  - Many co-benefits of a cleaner power sector
- Should NH consider Opting-out of the Ozone Transport Region???
Wood Smoke
When Not Burned Cleanly
DES Actions on Wood Smoke

- 2009 and 2015 Keene and Cheshire County Woodstove Change Out
- $506,000 in total funds
- 378 Non-EPA Cert Units Destroyed and Replaced
DES Actions on Wood Smoke

- NH Adopted EPA’s New Standards for Residential Woodstoves – MAYBE delayed by Congress
- NH working with NESCAUM and the wood pellet industry on ensuring high quality of products
- In 2017, the General Court closed a loophole in the resale of non-EPA certified OWBs
- Sited a semi-permanent Air Monitoring Station in Laconia - Winter 17/18
- DES still has $100,000 of dedicated funds for another change-out campaign

Final Word – WOOD IS GOOD!
2018 Rule Updates

- NOx RACT – Env-A 1300 NH is under an EPA sanctions clock to update NOx RACT regulations – Sept 2018
  - External workgroup meeting held Jan 11th
- Permit Fee Rule – Env-A 705.03(g) – GF Credit for fees dues April 15, 2018
- Stack Testing/CEM – Env-A 800 Expires Oct 2018
  - Will be distributed to interested parties prior to initiating formal process
- Startup/shutdown/malfunction exemptions – Affirmative Defense – holding up federal approval of number of our administrative rules
DES is working closely with OSI (designated the Lead Agency by the Governor) on developing a VW Mitigation Plan - $32 M = NH Share

- Series of Stakeholder meetings are being planned
- NH is the only non-CAL/LEV state in the Northeast so we already falling behind in developing electric vehicle infrastructure.
- Will NH use eligible funds
- For EV Infrastructure??
VW will be investing $2 Billion on EV Infrastructure

$0.8 B in California

$1.2 B in the USA
Maintains similar glide-path to existing
- 2.5% of 2014 cap annually
- No changes before 2021
- 7 states do more in 2021; NH & ME no added reductions and no Emissions Containment Reserve (ECR)
CCR and ECR Price Triggers

![Graph showing the price triggers for CCR and ECR from 2021 to 2031. The graph displays the modeled price range and the CCR and ECR trigger prices over time.]
If annual auction revenue = $14,000,000 (assuming $4.30 allowances)

$14,000,000 into Energy Efficiency Fund (less $0.35 million admin costs)

$2.91 million for Core/EERS programs

$10.74 million for ratepayer rebates
Eversource Components of Electric Rates for 625 kWhs of Consumption as of January 1, 2017

- Energy, $68.22, 53.7%
- Delivery, $26.29, 20.7%
- Transmission, $14.94, 11.8%
- Customer Charge, $12.89, 10.1%
- RGGI Allowance, $0.19, 0.2%
- RPS, $1.40, 1.1%
- System Benefits, $2.23, 1.8%
- Stranded Cost Recovery, $0.63, 0.5%
- Electricity Consumption Charge, $0.34, 0.3%
Main Takeaway – Good Agreement Regardless, Better to be in RGGI than Out

- NH ‘agreement’ lowers direct bill impact to NH ratepayers
- If NH drops out of RGGI, ratepayers will continue to see all costs associated with RGGI reflected in the regional wholesale price of electricity
  - NH would not receive auction revenues
    - Ratepayers would not receive rebates
    - No resulting energy efficiency investments
Questions

- Craig A. Wright
  - Director
- NH Department of Environmental Services
  - Air Resources Division

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NHDES Divisional Leadership

Eugene J. Forbes, P.E.

Director, Water Division
Department of Environmental Services
State of New Hampshire
Gene Forbes
Water Division Director
Water Division
Water Division Organization

Director: Eugene J. Forbes, P.E.
Assistant Director: Rene Pelletier

Eight Bureaus & Programs

- Alteration of Terrain
- Wetlands Bureau
- Subsurface Systems Bureau
- Drinking Water & Groundwater Bureau
- Dam Bureau
- Wastewater Engineering Bureau
- Watershed Management Bureau
- Winnipesaukee River Basin Program
Land Resource Management Program: 2018 Priorities
Wetlands Program Rulemaking & Process Improvement Effort

Overall Schedule

February 1, 2018
DES Release of Draft Rules to public

Feb – March 2018
Hold Hearings on Draft Rules
Stakeholder Review

DES to hear & consider public comments

April – May 2018
Prepare Initial Proposal & Commence Formal Rulemaking

We Are Here!
EPA grant received

- NHDES is scoping a contract to increase National Wetland Inventory (NWI) mapping statewide.
- NHDES to establish a science workgroup to look at ways to display high value wetlands based on new mapping information.
NHDES Aquatic Resource Mitigation Fund Program:

Funding for Wetland Restoration, Stream Passage Improvement, and Land Conservation
Aquatic Resource Mitigation Workshops

The New Hampshire Department of Environmental Services Aquatic Resources Mitigation (ARM) Fund, in partnership with the New Hampshire Department of Transportation, is hosting three informational sessions relative to utilizing ARM Fund monies to improve stream resources.

Topics covered include:
- Available ARM funding in the 2018 grant cycle;
- Updated tools to submit applications, and
- The State Stream Crossing Initiative.

Workshops are designed to provide stakeholders with information to move projects from conceptual ideas to candidate projects for mitigation funding.

We hope your participation enables your community to discover meaningful restoration projects that will be competitive for ARM funds and meet your town's needs in terms of flood resiliency and infrastructure updates!

Potential ARM Fund grant applicants from all service areas including: municipalities (conservation commissions, road agents, and town engineers), regional planning commissions, non-profit groups, land trusts and consultants are encouraged to attend!

Jan 24 & Feb 6 spaces open at workshops
Potential 2018 ARM Funds

1. Androscoggin River
   - $16,000

2. Saco River
   - $40,000

3. Pemigewasset - Winnipesaukee Rivers
   - $95,000

4. Salmon Falls - Piscataqua Rivers
   - $1,000,000

5. Merrimack River
   - $2,000,000

6. Lower Connecticut River
   - $600,000

7. Contoocook River
   - $90,000

8. Middle Connecticut River
   - $100,000

9. Upper Connecticut River
   - $19,000
Regulatory Reform Commission

- HB 1104 proposes reduced turn-around times
- Review of inter-related coordination & reviews triggered by the state wetland process.
- E-Permitting
- Web site improvements
- An amendment concept under consideration to streamline the wetland process (CAP)
Certified Application Preparer (CAP)

- Concept to create Certified Application Preparer (CAP) process:
- To allow Certified Wetland Scientist and other professionals with NHDES training and certification
- To submit minimum impact projects
- With administrative and streamlined review
Watershed Management Bureau: 2018 Priorities
Water Quality Standards

• Major issues that will be taken up at the Water Quality Standards Advisory Committee (WQSAC): Dissolved oxygen standard, 7Q10 for nutrient effluent calculations.

• PFC Standards?

WQSAC is open to anyone. Email gregg.comstock@des.nh.gov to be on the notification.
303d List -- Assessment of water quality

- Every two year assessment of water quality on all the rivers, lakes and marine waters in the state.
- The 2016 list is submitted.
- Will begin work on 2018. Back on schedule!!!
Instream Flow Program

- Protects water in rivers for use by critters and people.
- Establishes a set of protected flows (based on season) and creates management plan to protect those flows.
- 2016 -- Legislature passed a bill to turn the Pilot program into a statewide program.
- Now in the rulemaking stage.
- 1 year process – 6-8 months of informal meetings and discussions, followed by 4-6 months of formal rulemaking.
- After rulemaking, a public process to select the next rivers to undergo the studies.

Email [wayne.ives@des.nh.gov](mailto:wayne.ives@des.nh.gov) to be notified about the rulemaking process.
Other Watershed Bureau

- Warner River designation
- Sawyers Mills Dam removal
- Release 30 year report on mercury in fish.
- Upgrades to Environmental Monitoring Database
Drinking Water & Groundwater Protection Bureau: 2018 Priorities

- PFC Issues
  - CDC issuing toxicological profiles this summer

- Will be setting standards this summer

- Lead testing in schools

- Trust Fund
Other Water Division
2018 Priorities

- Wastewater Engineering Bureau
  - PFC Residuals
  - EPA Energy Grant work
  - SB 450 – NPDES Delegation

- Dam Bureau
  - FY18-19 Capital Improvement Program
  - Murphy Dam – Comprehensive condition assessment
  - SB 528 – Dam Fees: Registration/Permits to construct
NHDES Divisional Leadership

Michael J. Wimsatt, PG

Director, Waste Management Division
Department of Environmental Services
State of New Hampshire
NHDES Waste Management Division

Priorities for 2018 and Beyond

Presented by
Mike Wimsatt, Director, Waste Management Division
at the Environmental Business Council of New England – NH Meeting
January 23, 2018
Waste Management Division Programs

- Waste Programs
  - Hazardous Waste Management Bureau
  - Solid Waste Management Bureau

- Site Remediation Programs
  - Oil Remediation & Compliance Bureau
  - Hazardous Waste Remediation Bureau
  - MTBE Remediation Bureau
Hazardous Waste Management Bureau

- RCRA Re-Authorization
  - Last completed in 2006
  - Piloting leaned process with EPA

- Adopt the federal E-Manifest Rule

- Revise the used oil rules
Solid Waste Management Bureau

- Improve permit application review
  - Clearer communication
  - Clearer permit conditions
  - Reduced application processing times

- Organics composting
  - Complete stakeholder process started in 2017
  - Evaluate appropriate changes
  - Rulemaking (tentatively beginning Fall 2018)
Review of closed, unlined landfills
- Review research completed in 2016/2017
- Develop/implement guidance to owners/operators relative to post closure care and monitoring

General Permit rules
- Supplant Permits-by-Notification for many facilities
- Advance work on Motor Vehicle Salvage Yards
  - Develop GP that incorporates conditions from several DES programs
- Scrap metal facilities
Complete the State Program Approval process with EPA
  ◦ Includes updating UST Rules to include new federal requirements
Update Oil Fund Board rules to incorporate the oil fund consolidation bill (2015/2017)
Plan/execute our first cold-water coastal oil spill response exercise – March 2018
Streamline ORCB cost recovery process
Staff development following recent changes
  ◦ Fill vacancies / increase project management capacity
  ◦ Training

Ambient Groundwater Quality Standards
  ◦ Phase 1: Rulemaking for 10 AGQS updates
    • 1,4-dioxane
    • naphthalene
  ◦ Phase 2: Update AGQS to incorporate 2014 OSWER body weight and ingestion defaults
  ◦ Updates to corresponding soil standards
Emerging Contaminants

- Continued response to southern NH and statewide PFOA investigations
- Build capacity and organization to respond
- Integrate response activities into existing programs and procedures
- Continue education and outreach to the public and the regulated community
MTBE Remediation Bureau

- Continue work using settlement funds
  - Drinking water well sampling program
  - >$4 million in waterline extension projects in 2017
  - Pending drinking water infrastructure projects

- Drinking Water and Groundwater Trust Fund
  - Work with new Drinking Water and Groundwater Advisory Commission
  - Build and staff DWGW Trust Fund Program
  - Administer recently-approved projects
Drinking Water and Groundwater Trust Fund

- Commission has awarded $35.2 million to 22 projects
  - 9 infrastructure grants totaling $11.3 million
  - 11 infrastructure loans totaling $23.2 million
  - 1 source water protection grant for $200K
  - Funding for DES-lead groundwater quality study - $500K

- Southern NH Regional Water Project - status update to Commission at its March 2018 meeting

- Fiscal Committee / G&C approval process pending

- Subcommittee developing criteria and processes for future selection of projects and award of funds for grants and loans
Southern NH Water Project Routes

Haverhill

Methuen
Questions and Answers
Panel Discussion with NHDES Leadership

Moderator:
• Muriel Robinette, Program Co-Chair, GZA

Panelists:
• Eugene Forbes, Water Division
• Michael Wimsatt, Waste Management Division
• Craig Wright, Air Resources Division