

# EBC New Hampshire Leadership Webinar:

## New Hampshire DES Commissioner Robert Scott and U.S. EPA Regional Administrator Dennis Deziel



**Welcome**

**Robert Varney**

*Program Chair & Moderator*

*Chair, EBC New Hampshire Chapter*

*President, Normandeau Associates, Inc.*



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*Energy Environment Economy*

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# Update from the New Hampshire DES

**Robert Scott**

*Commissioner*

*New Hampshire Department of Environmental Services*



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**NHDES Update**  
for the  
**Environmental Business Council**  
**New England/New Hampshire Chapter**

July 15, 2020

# NHDES Organization Chart

**Bob Scott,  
Commissioner**

**Commissioner's  
Office**

**Vacant**

**(John Duclos)**

**Asst Commissioner**

**Air Resources**

**Craig Wright**

**Director**

**Water Division**

**Tom O'Donovan**

**Director**

**Waste Management**

**Mike Wimsatt**

**Director**

# Topics

- **COVID-19 response**
- **Agency budget**
- **New Legislative initiatives and program highlights**
- **Drinking Water Groundwater Trust Fund and projects**
- **SRF pre-applications**
- **Q&A**

# COVID-19 Response

- **Majority Hazen Drive staff teleworking**
- **File review in building by appointment only**
- **Public reception desk closed**
  - **Main phone line staffed**
  - **Locked drop box at entry way for applications, etc**
- **One on one meetings with staff based on need and by appointment**
- **Inspections, site review etc proceeding**
  - **Still restricting face to face interactions**
- **Remote NHDES hearings**
- **Governor's Emergency Order 29 Exhibits A and K**

# Budget

- **Statewide over \$500 million shortfall for current state fiscal year**
  - **Agencies asked to look at overall 20% cut**
- **Programs, open positions, grants etc all on the table**
  - **Most open General Fund positions unlikely to be filled, impacts to other programs**
- **22/23 budget development similar**
- **Definitely not business as usual**

- **Legislation**

- **Omnibus bills**

- **HB 1234**

- Establishes a working group on solid waste management planning.
- Requires the NHDES to make rules regarding compost.
- Establishes a statewide solid waste disposal reduction goal and revises requirements relative to the state solid waste plan.
- Requires the NHDES to adopt rules concerning small groundwater withdrawals from new sources of water.

- **Legislation**

- **Omnibus bills**

- **HB 1245**

- For state agencies, increases the measures that may be taken to reduce energy costs and meet state energy goals.
- Establishes a procedure for voluntarily registering docks with the department of environmental services.
- Allows the department of environmental services to take emergency actions to correct hazardous dams.
- Establishes an offshore wind commission.
- Extends the commission to study structures on non-tidal public waterways

# PFAS Legislation (HB 1264)

- Establishes the per and polyfluoroalkly substances (PFAS) fund.
- Sets maximum contaminant limits for PFAS in drinking water.
- Establishes a low interest loan program for certain water and waste water systems affected by PFAS contamination.
- Makes an appropriation to NHDES for the remediation of PFAS contamination.
- Allows NHDES to borrow money.
- Expands the statute governing ambient groundwater quality standards to include state maximum contaminant levels established in law.
- Requires insurance coverage for PFAS blood testing.
- Extends the commission on the seacoast cancer cluster investigation.
- Senate voted with amendment 23-1. The House concurred by a vote of 210 to 116.

## Update & FYI

- Drought Management Team convened 7/9/20
- Watershed; Dover Artificial Recharge WQC issued
- Dams: Successful reservoir management under low snowpack and drought conditions
- Manchester Consent Decree for Combined Sewer Overflows
- Arsenic pitcher program moving forward
- Working with EPA and communities on Great Bay General Permit

## Update & FYI

### **Saint-Gobain Performance Plastics**

- Temporary Permit issued in Feb 2020 to require installation of BACT controls by Feb 2021 as required by RSA 125-C:10-e
  - Town of Merrimack appealed the Permit to the Air Resources Council – Hearing scheduled for Dec 14, 2020
- SGPP filed a variance request under RSA 125-C:16 seeking a one-year delay in the installation date citing the air permit appeal and COVID-19 delays
  - Request to SGPP for additional information on the variance request
  - Hearing on the variance request is scheduled for Aug 5, 2020 – DES has 15 days to make a final decision following close of the hearing

### **Air Permit Fees**

- For FY 20 DES implemented a new revised air permit fee formula (following a year-long stakeholder process)

# Update & FYI

- **NCES Bethlehem solid waste permit application**
  - Hearing being scheduled
- **MtBE Settlement Funds**
  - Drinking water well sampling program
    - MtBE still being discovered in 12% of wells sampled
  - \$11 million in waterline extension projects completed

- **NHDES 'To Do' list**

- Rules for PFAS fund
- Continued wetlands rules refinement
- Expanded AOT rules (and F&G) for T&E species
- Amendment to AOT rules to incentivize redevelopment of sites over developing new sites
- AOT guidance and BMP for solar farms to incentivize solar farms on hardscape
- Continued look at overall condition and funding for dams statewide
- Drinking water, waste water and storm water infrastructure
- Update to State Solid Waste Management Plan
- Solid Waste Program funding
- Develop PFAS soils management guidance
- Update composting facility rules
- Updates to air permit and air toxics regulations

# DWG Trust Fund Advisory Commission Update

- **\$46.1M awarded in 2019**
  - **23 drinking water infrastructure projects totaling \$44.6M**
  - **7 source water protection grants totaling \$1.17M**
- **\$7.35M awarded in 2020 to date**

# DWG Trust Fund Project Highlight

- **Southern NH Regional Water project**
  - New Hampshire's largest regional water distribution system interconnection (connecting 6 large water systems) and is designed to provide up to 3.13 million gallons per day. Construction is underway for Phase 1 (1MGD) of the project.
  - **Salem - water connections in place**
    - 25,000 linear feet (nearly 5 miles) of new water main; upgrades to an existing pumping station; and, three pressure reducing valve stations
  - **Atkinson - HAWC 1 million gallon water tank complete**
  - **Plaistow – Sweet Hill storage tank is under construction**

# 2020 DWG Trust Fund Application Rounds

- **Source Water Protection**
  - Eligibility applications were due  
**June 26**
- **Infrastructure Project Assistance**
  - Funding applications due  
**September 10**

# 2020 State Revolving Fund (SRF) pre-applications

## **CWSRF** preliminary numbers

- 79 Pre-Apps requesting \$276M
- Funding Available \$40 to \$45M

## **DWSRF** preliminary numbers

- 90 Pre-Apps requesting \$137.5M
- Funding available \$19,799,790



# Contact Information

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# Update from U.S. EPA Region One

**Dennis Deziel**

*Regional Administrator*

*U.S. Environmental Protection Agency – Region One*



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# Moderated Discussion

**Moderator: Chip Crocetti, *Senior Vice President, Sanborn Head***

## **Panelists:**

- **Tom Burack, *Shareholder, Sheehan Phinney Bass & Green***
- **Harrison Roakes, *Project Manager, Sanborn Head***
- **Sherrie Trefry, *Director of Energy and Env. Services, VHB***



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