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.
Thank you to our Sponsors
Update from the New Hampshire DES

Robert Scott

Commissioner

New Hampshire Department of Environmental Services
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
**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

Bob Scott, Commissioner
271-2958
Robert.Scott@des.nh.gov

NH Department of Environmental Services
29 Hazen Drive
271-3503
www.des.nh.gov
Update from U.S. EPA Region One

Dennis Deziel

Regional Administrator

U.S. Environmental Protection Agency – Region One
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