

HB 1618-FN - AS INTRODUCED

2022 SESSION

22-2199

08/11

HOUSE BILL

***1618-FN***

AN ACT            adding several perfluorinated chemicals to the list of per and polyfluoroalkyl substances with maximum contaminant levels and establishes a cumulative total for the maximum contaminant level of per and polyfluoroalkyl substances.

SPONSORS:        Rep. B. Boyd, Hills. 21

COMMITTEE:      Resources, Recreation and Development

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ANALYSIS

This bill adds several perfluorinated chemicals to the list of per and polyfluoroalkyl substances with maximum contaminant levels and establishes a cumulative total for the maximum contaminant level of per and polyfluoroalkyl substances.

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Explanation:      Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT                    adding several perfluorinated chemicals to the list of per and polyfluoroalkyl substances with maximum contaminant levels and establishes a cumulative total for the maximum contaminant level of per and polyfluoroalkyl substances.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

- 1            1 New Subparagraphs; Perand Polyfluoroalkyl Substances. Amend RSA 485:16-e, I by inserting  
2 after subparagraph (d) the following new subparagraphs:  
3                    (e) Perfluorobutyrate (PFBA): 7 parts per trillion.  
4                    (f) Perfluorobutanesulfonic acid (PFBS): 1000 parts per trillion.  
5                    (g) The total contaminant levels of subparagraphs (a) through (f): 20 parts per trillion.  
6            2 Effective Date. This act shall take effect July 1, 2022.

**HB 1618-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT adding several perfluorinated chemicals to the list of per and polyfluoroalkyl substances with maximum contaminant levels and establishes a cumulative total for the maximum contaminant level of per and polyfluoroalkyl substances.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☒ Local                    ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$30,000	\$94,000	\$94,000	\$94,000
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input type="checkbox"/> Other			

**LOCAL:**

<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Between \$3,676,000 and \$12,441,000	Between \$149,000 and \$539,000	Between \$149,000 and \$539,000

**METHODOLOGY:**

This bill establishes maximum contaminant levels (MCLs) for perfluorobutyrate, perfluorobutanesulfonic acid, and an aggregate total of all per and polyfluoroalkyl substances (PFAS) under RSA 485:16-e, I(a-f). The Department of Environmental Services evaluated PFAS sampling results from public water systems, landfills, hazardous waste sites, oil and gasoline sites and groundwater discharge sites. This review identified approximately 38 new sites that would exceed the standards proposed by this bill and that are currently meeting existing PFAS MCLs. Of the 38 sites, one (1) is for a municipal water system, three (3) are stand-alone drinking water systems at local/government owned schools, two (2) are waste sites/landfills owned by a municipality, and six (6) are wastewater groundwater discharge sites owned by municipalities. The remaining 26 sites are not associated with a local or county government.

The Department has provided the following cost estimates for local governments relative to complying with the MCL levels set by this bill:

	<b>One (1) Municipal Water System</b>	<b>Three (3) Drinking Water Systems at Local Schools</b>	<b>Eight (8) Municipal Landfill/Waste Sites/Wastewater Discharge Sites</b>	<b>Total</b>
<b>FY 2023 - Costs for Initial Installation of Treatment &amp; Sampling Costs</b>	\$3,600,000- \$12,200,000	\$60,000-\$225,000 (\$20,000 - \$75,000 per school)	\$16,000	<b>\$3,676,000 - \$12,441,000</b>
<b>FY 2023 and Beyond - Annual Ongoing Sampling, Operation, and Maintenance</b>	\$130,000 - \$520,000	\$3,000 (\$1,000 per school)	(\$2,000 per year per site additional sampling and analysis cost)	<b>\$149,000 - \$539,000</b>

The Department assumes the administration of the proposed MCL and the associated 38 new sites would require new staffing equivalent to a three-quarter (75%) Environmentalist IV position (approximately \$94,000 per year in salary and benefits). The Department also estimates it would incur costs of approximately \$30,000 in FY2022 to update Waste Division and Water Division rule sets to incorporate the MCL into the programs (bill's effective date is July 1, 2022).

**AGENCIES CONTACTED:**

Department of Environmental Services