

**New Hampshire Department of
Environmental Services**

***An Overview of NHDES
for
House Finance Division 1
Committee***

February 1, 2023



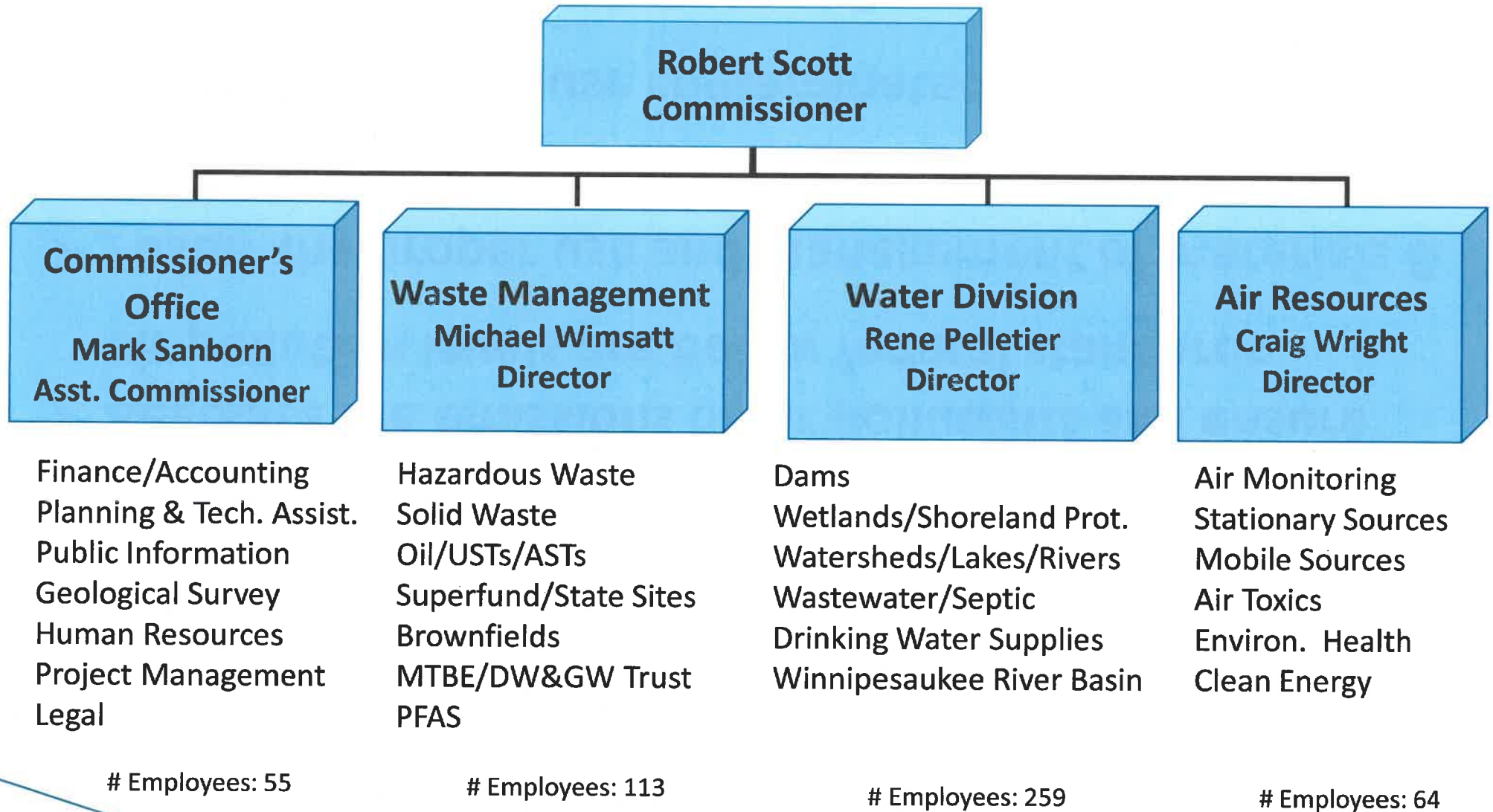
NHDES Mission Statement

... to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire.

... Recognizing that a strong economy and a healthy environment go hand in hand!



Department of Environmental Services



NHDES Core Functions

- **Ensure high levels of water quality for water supplies, ecological balance, and recreational benefits**
- **Manage water resources for future generations**
- **Regulate the emissions of air pollutants and ensure air pollution levels are below federal standards**
- **Foster the proper use and management of materials & waste**
- **Remediate and reuse contaminated sites**
- **Emergency Preparedness and Response**



Significant Department Activities

- ▶ Infrastructure
 - DWGTF, DWSRF, CWSRF, ARPA
- ▶ Emerging Contaminants
- ▶ Improving data and management systems
- ▶ Improving online access by the public

DWGTF – Drinking Water Groundwater Trust Fund

DWSRF – Drinking Water State Revolving Fund

CWSRF – Clean Water State Revolving Fund

ARPA – American Rescue Plan Act

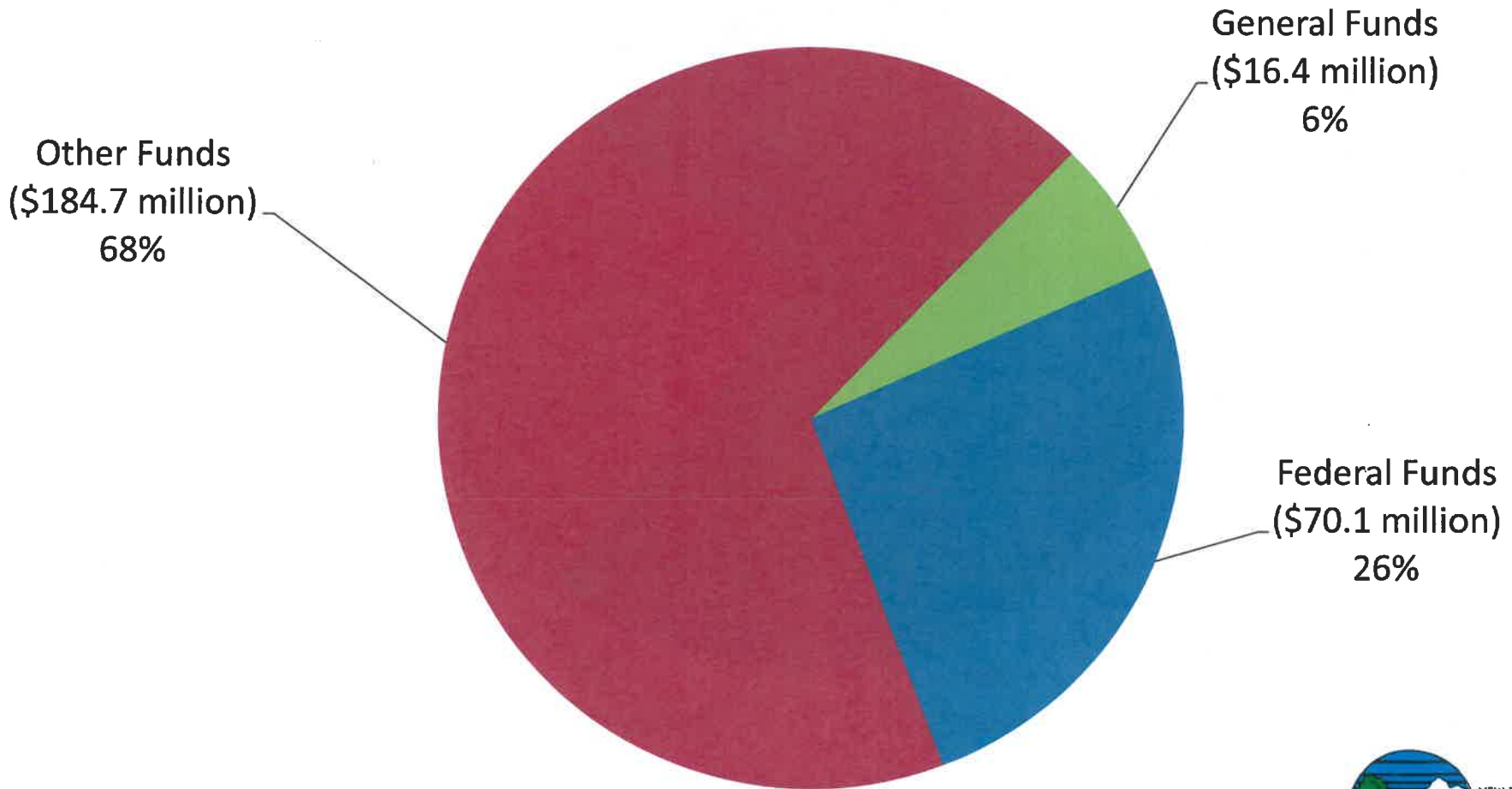


NHDES Budget Highlights

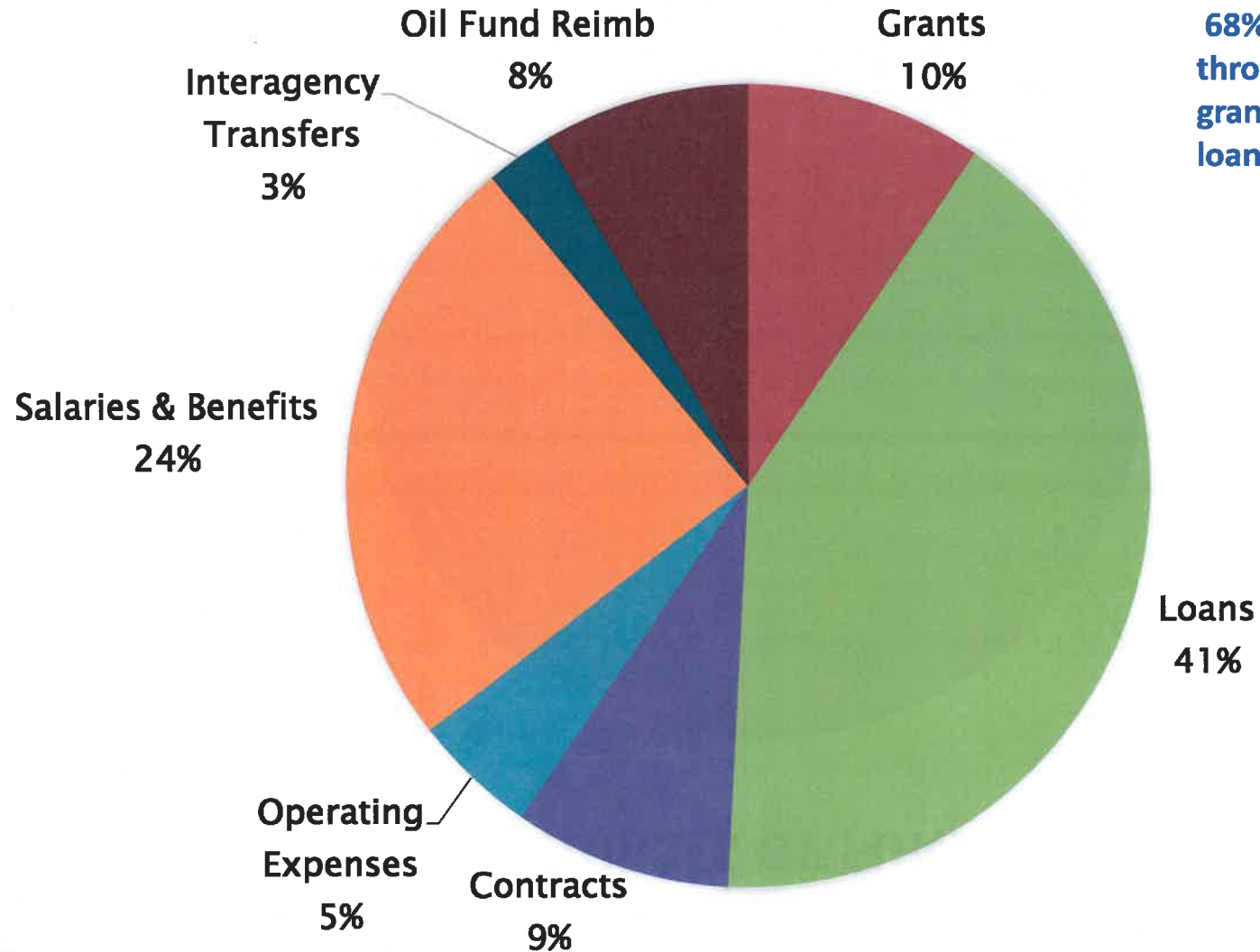
- ▶ **FY 2024 Efficiency Budget = \$271.2 million**
- ▶ **491 authorized positions (3% of total state employees)**
- ▶ **Annually take 21,000 permit actions, conduct 16,500 inspections, take 1,800 enforcement actions**
- ▶ **Administer 93 types of permits/approvals**
- ▶ **Implement 35+ state laws**
- ▶ **Manage over 115 federal grants**



**FISCAL YEAR 2024
EFFICIENCY BUDGET (\$271.2 Million)
SOURCES OF FUNDS**



FISCAL YEAR 2024 EFFICIENCY BUDGET (\$271.2 Million) USES OF FUNDS



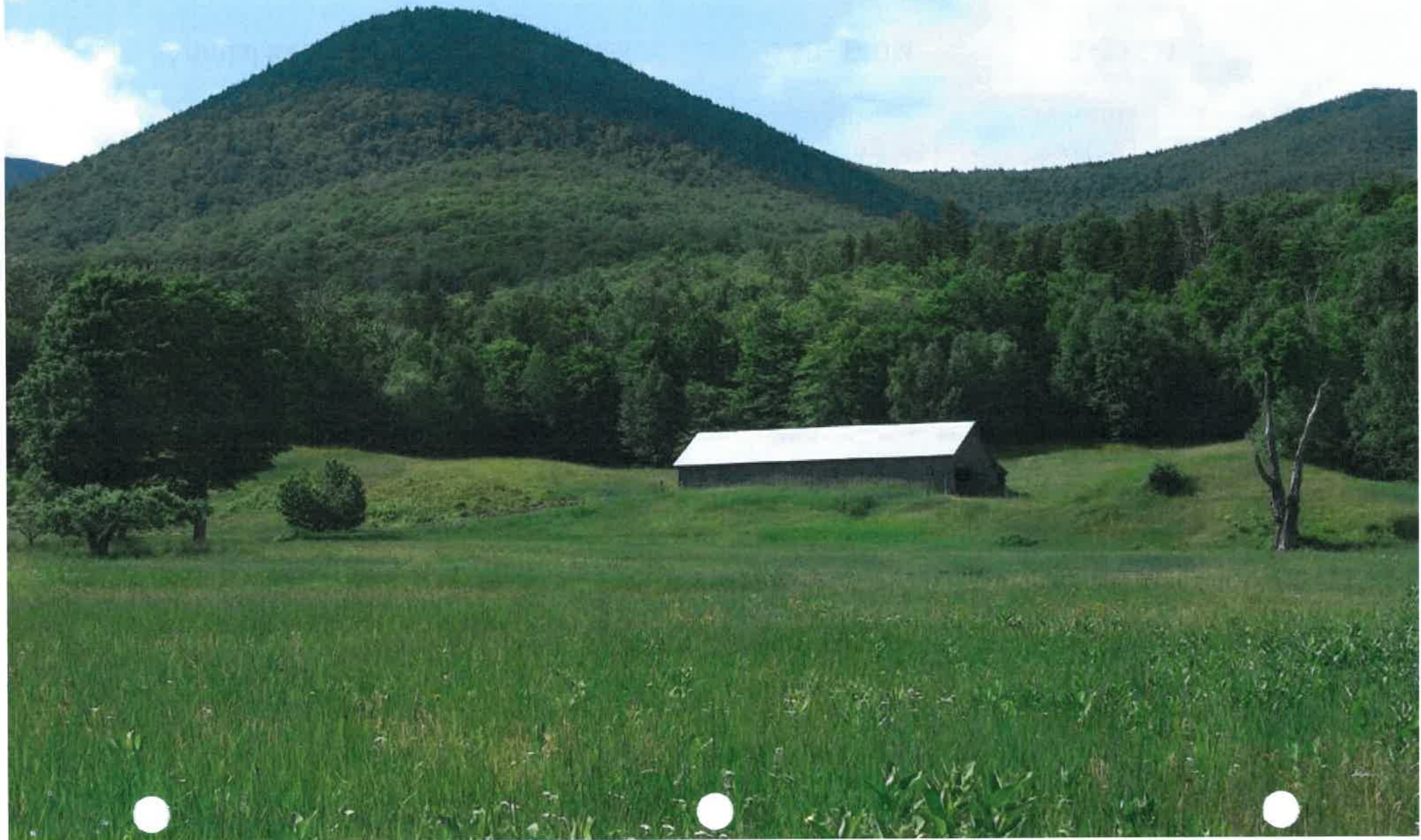
68% of all Funds are pass through in the form of grants, reimbursements, loans and contracts

Comparison of Grant/Loan Programs

Category	State Revolving Funds (SRF)	DW/GW Trust Fund	State Aid Grants (SAG)
Type of Assistance	Loans only	Grants & Loans	Grants only
Legal Authority	Federal laws/regulations	RSA	RSA
Source of Funds	Federal grants/Loan repayments	Lawsuit Proceeds	General Funds
Timing of Assistance	Upfront	Upfront	After the fact
Qualifying entities	Wastewater/Drinking Water systems	Drinking Water systems	Wastewater systems
Annual Budget	\$100-\$120M	\$30-\$40M	\$13-\$16M



Air Resources Division



NHDES Air Resources Division

Director: Craig A. Wright

Assistant Director: Mike Fitzgerald

Three Bureaus & Director's Office

- ▶ **Permitting and Environmental Health Bureau**
- ▶ **Compliance Bureau**
- ▶ **Technical Services Bureau**
- ▶ **Director's Office**
 - **Regional and National Section**
 - **Program and Rules Planning Section**
 - **Division Business Planning Section**



Permitting and Environmental Health

- ▶ Issue both state and federal air permits
- ▶ Ensure sources can comply with state and federal air pollution regulations
- ▶ NH Air Toxics Program
- ▶ Evaluates health impacts related to environmental contaminants



NH's Air Permitting Program

State and Federal Permitting Programs

805 Permitted Facilities in NH

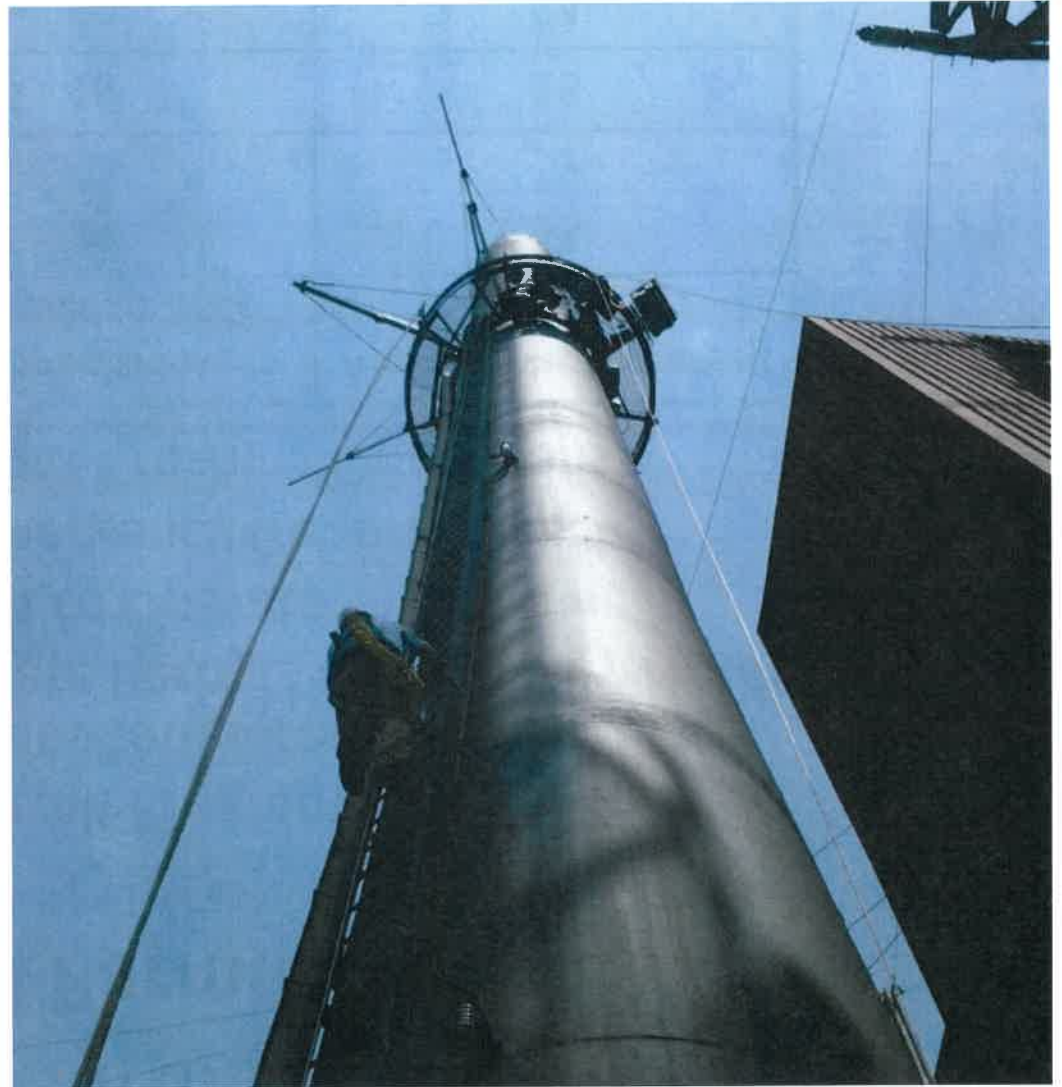
- 28 Title V Sources (Federal Permit Program)
- 777 State-Only Sources (includes Temporary Permits, State Operating Permits, General State Permits & Permit-by-Notifications)
- 264 State Temporary or Permit to Operate
- 422 General State Permits (Emergency Generators)
- 91 Permit-by-Notifications (Rock Crushing Operations)

Type of Air Permit	Applications Received in 2022	Applications Processed in 2022
New Construction (Temporary Permits)	14	15
General State Permits	18	18
State Operating Permits	69	74
Title V Operating Permits	14	8
Permit-by-Notifications	4	4

Compliance Bureau - Testing

Stack Testing and Emission Monitoring

- On site for 40-50 emissions tests per year
- Verify that 24 continuous emission monitoring systems are meeting state and federal requirements



Compliance Bureau - Inspections

- ▶ Compliance Inspections and Compliance Assistance
 - Conduct about 60-80 inspections per year
 - Respond to approximately 80 -100 air quality complaints per year
- ▶ Enforcement
 - Successfully settled 38 enforcement cases in 2022 without any federal over-filing

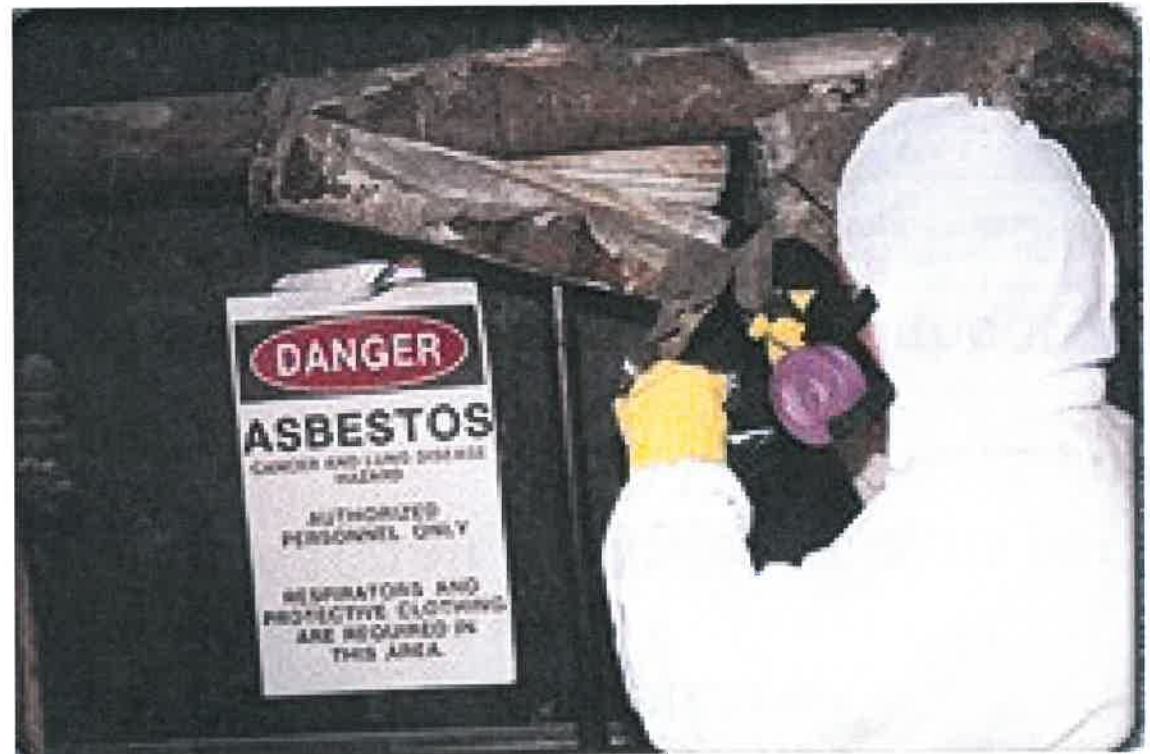


Compliance Bureau - Asbestos Management Section

1200 Notifications/year

120 Inspections/year

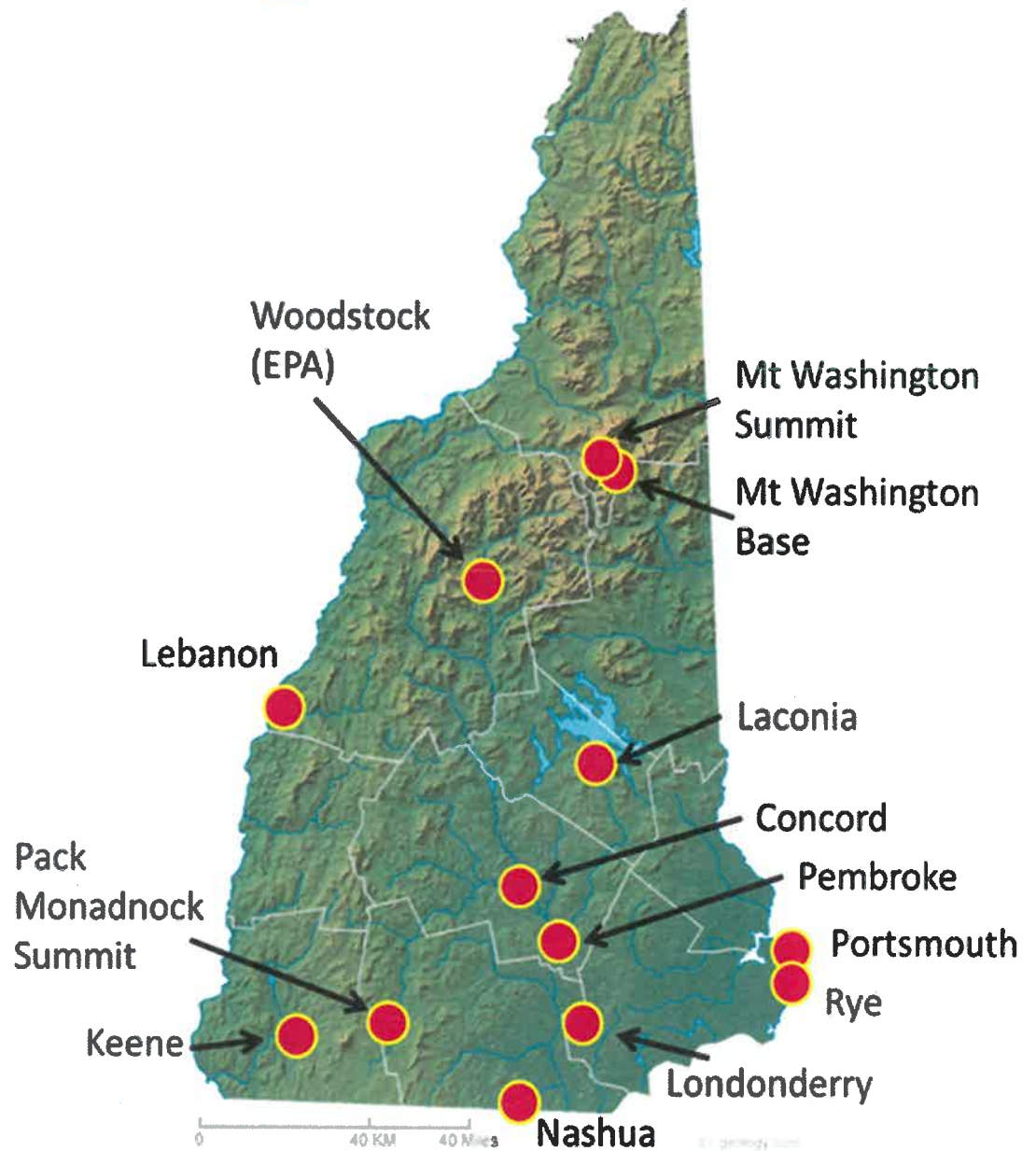
Worker licensing



Technical Services Bureau Air Monitoring

New Hampshire DES 2022 Air Pollution Monitoring Network

- Ozone
- PM_{2.5}
- SO₂
- NO₂
- CO



Technical Services Bureau

Mobile Sources

- ▶ **Oversee mobile sources programs**



NH OBD Program

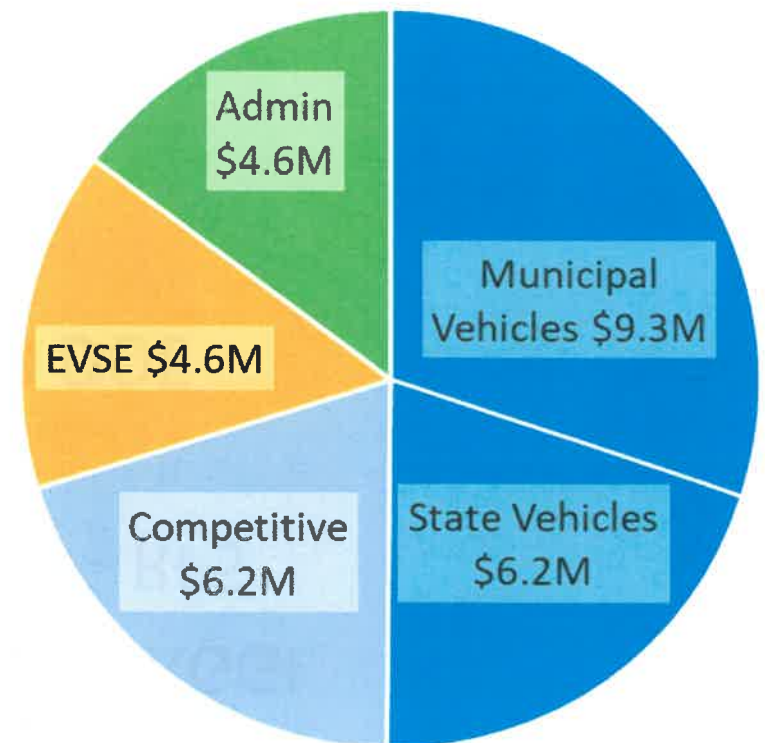
VW/DERA Grants

NH Clean Cities



NH Volkswagen Mitigation Trust Allocations

- ▶ NH was allocated \$30.9M in October 2017, held in a Trust
- ▶ NHDES became the lead agency for the VW Trust funds in August 2021
- ▶ NH Beneficiary Mitigation Plan:
 - Approx \$15.5M for replacing government diesel vehicles and equipment (including through DERA)
 - Approx \$6.2M for competitive projects to replace diesel vehicles/equipment (i.e. DERA)
 - Approx \$4.6M for installing EVSE
 - Up to \$4.6M for administrative costs
- ▶ Learn more at:
<https://www.des.nh.gov/business-and-community/loans-and-grants/volkswagen-mitigation-trust>

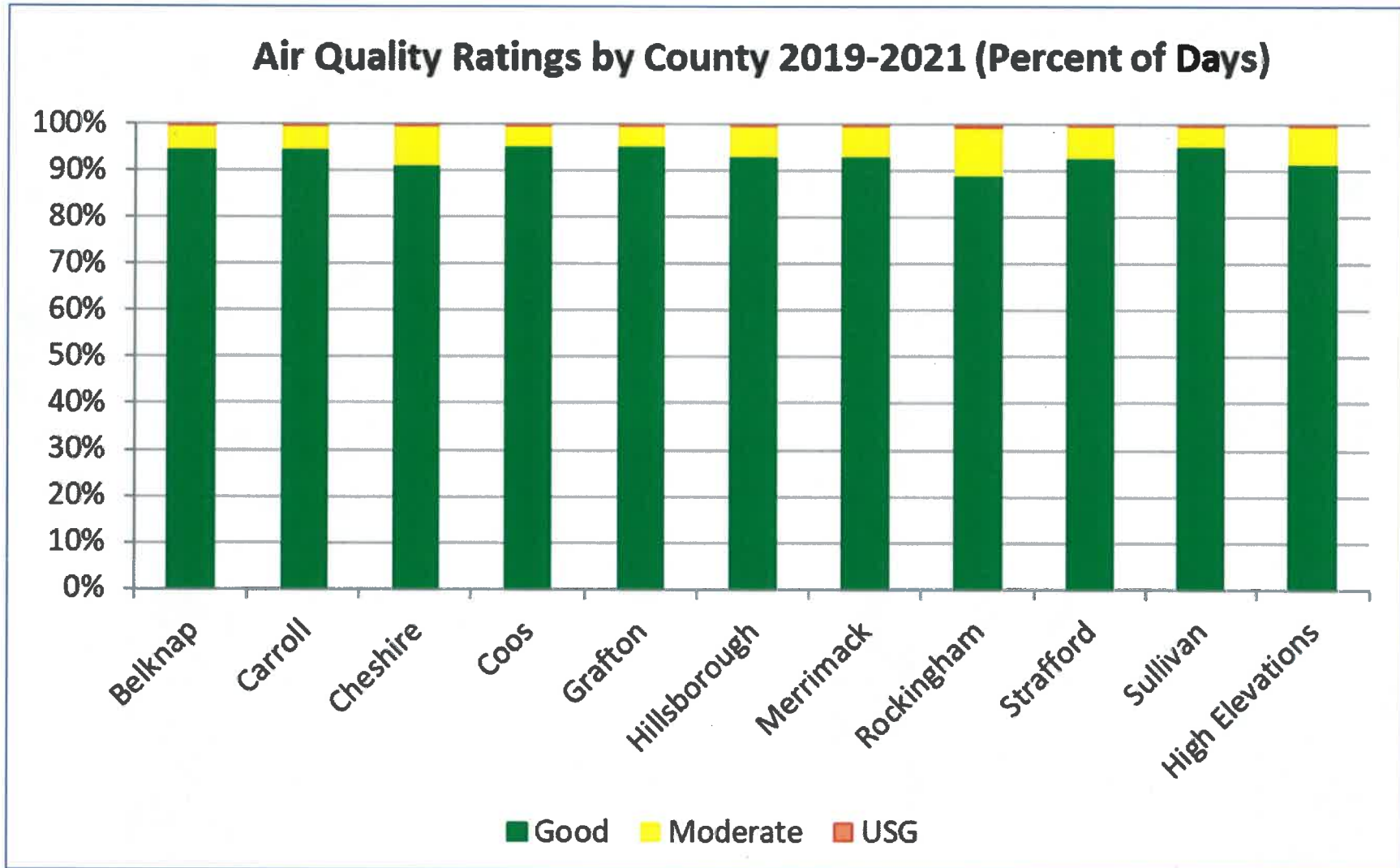


Technical Services Bureau Clean Energy Programs

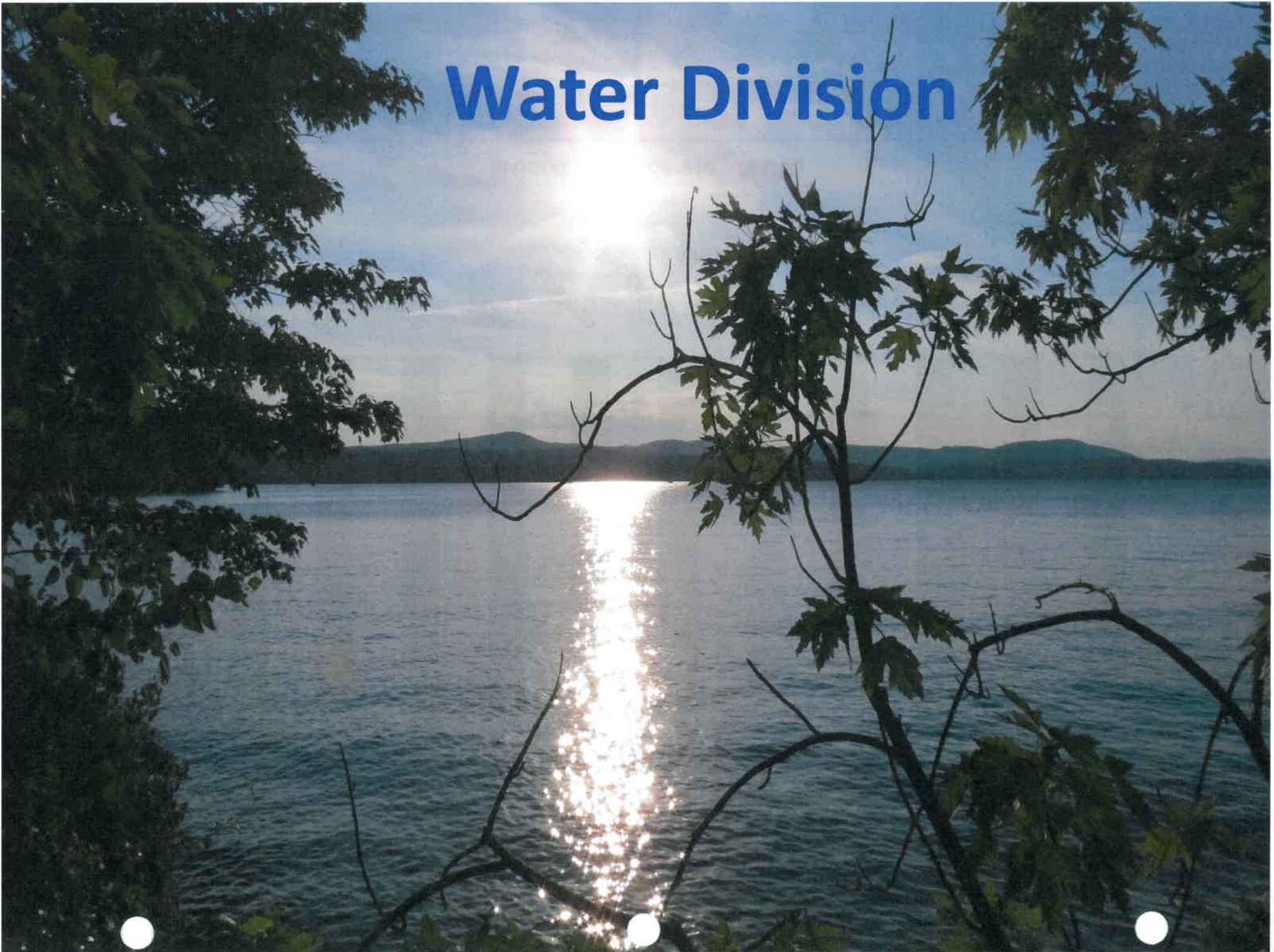
- ▶ Regional Greenhouse Gas Initiative – RGGI
- ▶ NH Renewable Portfolio Standards – RPS
- ▶ Energy Efficiency – EERS
- ▶ DES works in conjunction with NH DOE



General Air Quality in NH



Water Division



NHDES Water Division

Director: Rene Pelletier

Assistant Director: Ted Diers

Eight Bureaus & Programs

**Land
Resource
Mgmt.**

- ▶ Alteration of Terrain
- ▶ Wetlands Bureau
- ▶ Subsurface Systems Bureau
- ▶ Drinking Water & Groundwater Bureau
- ▶ Dam Bureau
- ▶ Wastewater Engineering Bureau
- ▶ Watershed Management Bureau
- ▶ Winnepesaukee River Basin Program



Land Resource Management Program: Alteration of Terrain (AoT)

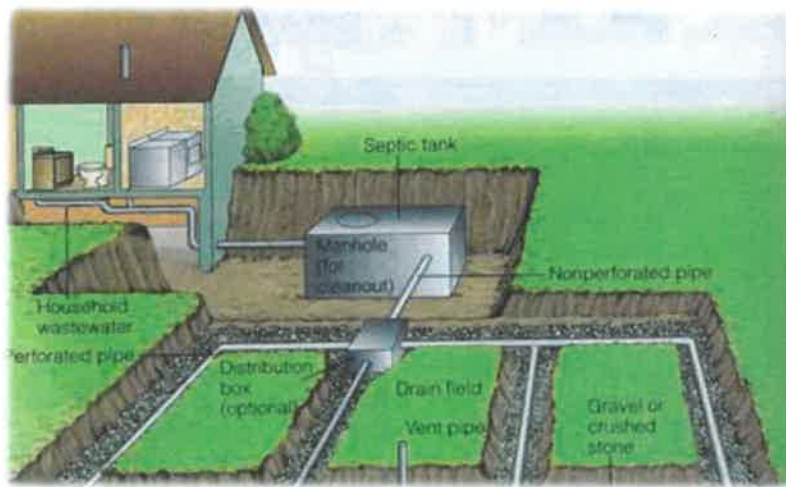
- **Stormwater Management**
- **Erosion Sedimentation Control**



- **RSA 485-A: 17 Terrain Alteration**
- **Env-Wq 1500 Alteration of Terrain**
- **Protects NH surface waters, drinking water supplies, and groundwater by controlling soil erosion and managing stormwater runoff from developed areas.**
- **Permit required whenever a project proposes to disturb >100,000 ft² of contiguous terrain (50,000 ft², if any portion is within the protected shoreland.**
- **Applies to industrial, commercial, and residential developments, gravel pits and rock quarries.**

Land Resource Management Program: Subsurface Systems

- Plan Review
- Construction Inspection



- RSA 485-A Water Pollution and Waste Disposal
- Env Wq 1000 Subdivision and Individual Sewage Disposal System Design Rules

- Reviews applications for the subdivision of land and the design of individual septic systems.
- Performs on-site inspections of all septic systems installed in order to ensure compliance with approved plans.

Land Resource Management Program: Shoreland Program

➤ Plan Review



- Reviews applications for the development of land within 250 feet of public waterbodies.

- RSA 483-B Shoreland Program
- Env Wq 1400 *Shoreland Administrative Rules*

Land Resource Management Program: Wetlands Bureau

➤ Plan Review



- RSA 482-A Fill and Dredge in Wetlands
- Env Wt 100-900 – *Wetlands Administrative Rules*

Reviews applications that propose the following types of impacts:

- Dredging and/ or filling wetlands
- Repair/ maintenance of stream crossings, new culverts, bridge abutments.
- Tidal Buffer Zone
- New docks/ dock repair

Drinking Water & Ground Water Bureau

- **Monitoring & Enforcement**
- **Engineering & Surveying**
- **Hydrology/Conservation**
- **Planning, Protection, & Assistance**
- **Information Management**



- **Administers federal & state Safe Drinking Water Act.**
- **Regulates 2,400 public water systems throughout NH.**
- **Regulates large groundwater withdrawals and discharges.**
- **Facilitates the implementation of local groundwater and source water protection programs.**

Dam Bureau

- **Operations & Maintenance**
- **Engineering & Construction**
- **Safety & Inspection**



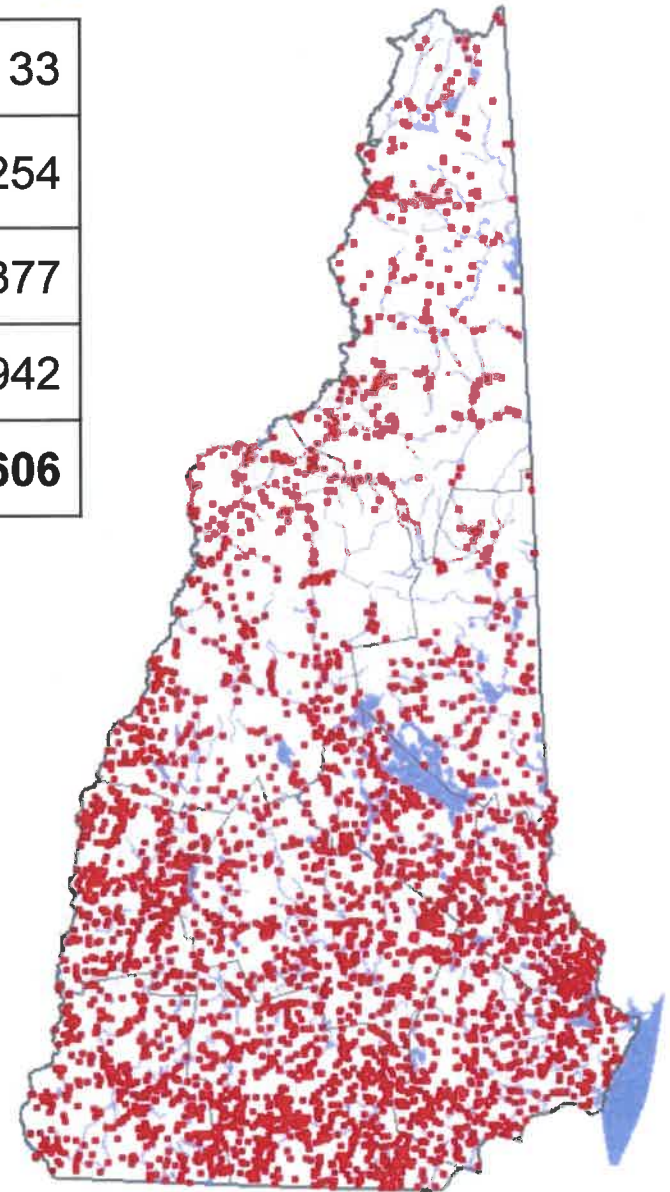
- **Ensures all dams in NH are constructed, operated, and maintained in a safe manner.**
- **Facilitates management of lake levels, stream flows, and surface and groundwater resources to protect environmental quality and enhance public safety.**

- **RSA Chapter 482: Dams, Mills & Flowage**
- **Env-Wr-100-700 Dam Rules**
- **Env-Wr-900 Official List of Public Waters**

Dams in New Hampshire

High Hazard	175
Significant Hazard	174
Low Hazard	472
Non-Menace	1,785
TOTAL	2,606

Federal	33
State (+ 21 exempt)	254
Municipal	377
Private	1,942
TOTAL	2,606

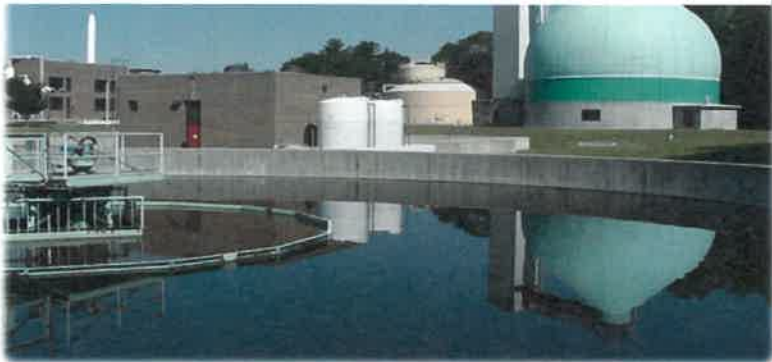


Downstream risks --

- ▶ More than 26,000 houses
- ▶ More than 560 State Road Crossings
- ▶ More than 2,500 Town Road Crossings

Wastewater Engineering Bureau

- Design Review
- Construction Management
- Grants Management
- Operations
- Permits & Compliance
- Residuals Management



- ▶ **Ensures proper design, construction, operation and maintenance of WWTFs.**
- ▶ **Provides technical assistance and operator training.**
- ▶ **Provides financial assistance (grants/ low interest loans) for eligible projects.**
- ▶ **Monitors and ensures compliance of industrial discharges, and management of septage and sludge**

- Env-Wq 500 Clean Water State Revolving Loan Fund
- Env-Wq 700 Standards of Design & Construction for Sewerage and WWTFs
- Env-Wq 800 Sludge Management

Watershed Management Bureau (WMB)

“Integration of science, policy, planning, and education to address nonpoint source pollution, stormwater, and exotic species.”



- **Env-Ws 1700 Surface Water Quality Regulations**
- **Env-Ws 1300 Exotic Aquatic Weed Control**

- **Regulatory and non-regulatory programs include:**
 - **Public beach, pool, and spa inspections**
 - **Clean Lakes Program**
 - **Monitors Boat pump out facilities**
 - **Exotic Species Program**
 - **Lakes, rivers and coastal resource protection**
 - **Shellfish species management**
 - **Stormwater Program**
 - **Surface Water Quality Assessments**
 - **Total Maximum Daily Load (TMDL) Program**
 - **Volunteer lakes and rivers programs**
 - **Water Quality Certifications**
 - **Watershed Assistance**

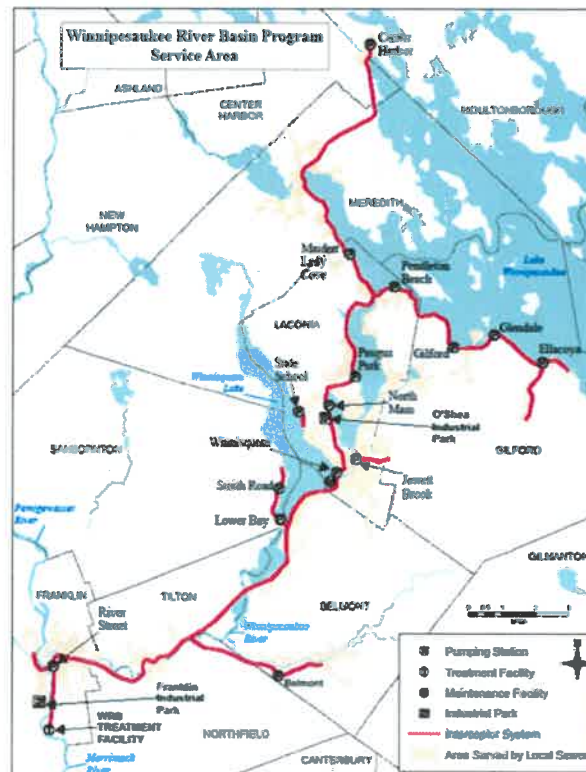
Winnepesaukee River Basin Program



- ▶ State-owned regional sewer system connects to local sewers
- ▶ Sewer system serves 30,000 people in 10 communities
- ▶ Septage from 60+ communities
- ▶ Operated by NHDES staff at the Franklin Wastewater Treatment Plant and Laconia Maintenance Shop



Franklin WWTP



6M+ gal/day treated
60 miles of sewer
14 pump stations
5M+ gal/yr septage

Waste Management Division



NHDES Waste Management Division

Director: Mike Wimsatt

Asst. Director: Sarah Yuhas Kirn

Five Bureaus

- ▶ Oil Remediation & Compliance
- ▶ Hazardous Waste Remediation
- ▶ MTBE Remediation
- ▶ Solid Waste Management
- ▶ Hazardous Waste Management



Primary Responsibilities

- **Assure proper management of:**
 - **Petroleum products**
 - **Hazardous waste**
 - **Solid waste**
- **24/7/365 emergency spill response**
- **Citizen complaint investigation**
- **Response preparedness and planning**
- **Contaminated sites investigation & remediation**
- **Contaminated site risk management**

Assure Proper Management of Petroleum Products

- ▶ Facility registration, design reviews and construction inspections
- ▶ Aboveground and underground tank compliance inspections
- ▶ Tank system operator training
- ▶ SAFETANK Program heating oil tank upgrades/replacements
- ▶ NH Green Yards Program – fluid management at auto salvage yards
- ▶ Removal of non-compliant tanks



Assure Proper Management of Solid and Hazardous Waste

- ▶ Facility design review and permitting
- ▶ SW facility and hazardous waste generator compliance inspections
- ▶ SW and HW Facility operator training
- ▶ Technical assistance
- ▶ Hazardous waste shipment tracking
- ▶ Hazardous waste transporter registration
- ▶ Complaint investigation
- ▶ Landfill Closure Grants management



Response Preparedness & Planning

- ▶ Maintenance of Coastal Incident Command Center
- ▶ Development and testing of geographic response plans for coastal and inland spills including pipeline and rail spills
- ▶ Spill preparedness exercises
- ▶ Partners:
 - ME DEP, US Coast Guard, USEPA, Naval Shipyard, FEMA, HSEM, & Municipalities



Contaminated Site Investigation and Remediation

▶ **Oversee investigation/remediation of:**

- **Petroleum sites (1,100+)**
- **Hazardous waste sites (600+)**
- **Superfund sites (22)**
- **Federal (DOD) sites (31)**

▶ **Oil Discharge & Disposal Cleanup Fund
(ODD Fund)**



Contaminated Site Risk Management

- ▶ Prevent exposure to contaminants
- ▶ Risk-based remedial standards for soil and groundwater
- ▶ Provide for alternate safe drinking water
- ▶ Drinking Water & Groundwater Trust Fund
- ▶ PFAS Rebates, Loans & Grants



Drinking Water and Groundwater Trust Fund (DWGTF)

- ▶ **Funds from MTBE Lawsuit – Trial Verdict (\$236M)**
- ▶ **RSA 485-F Established the Trust Fund and the 19-member Advisory Commission (SB 380, 2016)**
- ▶ **Purpose: “Provide protection, preservation, and enhancement of the drinking water and groundwater resources of the state.”**
- ▶ **Initial capitalization: \$280M**

Per- & Poly-fluoro Alkyl Substances (PFAS) Response

- ▶ **Study, investigation, and testing for contamination caused by perfluorinated chemicals**
- ▶ **PFAS Rebate Program**
- ▶ **PFAS Loan and Grant Program**

Contact Information

NH Department of Environmental Services

(603) 271-3503

www.des.nh.gov

Robert Scott, Commissioner

271-2958

Mark Sanborn, Assistant Commissioner

271-8806

Susan Carlson, Chief Operations Officer

271-1881



