

CHAPTER 70  
SB 123-FN - FINAL VERSION

03/09/2023 0635s

2023 SESSION

23-0874  
08/10

SENATE BILL

***123-FN***

AN ACT                    relative to the adoption of ambient groundwater quality standards by the department of environmental services.

SPONSORS:            Sen. Watters, Dist 4; Sen. Perkins Kwoka, Dist 21; Sen. Gray, Dist 6; Sen. Avar, Dist 12; Sen. Altschiller, Dist 24; Rep. Notter, Hills. 12; Rep. Rung, Hills. 12; Rep. Healey, Hills. 12; Rep. W. Thomas, Hills. 12

COMMITTEE:          Energy and Natural Resources

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ANALYSIS

This bill enables the commissioner of the department of environmental services to adopt certain ambient groundwater quality standards.

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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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

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

AN ACT                      relative to the adoption of ambient groundwater quality standards by the department of environmental services.

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

1            70:1 Ambient Groundwater Quality Standards. Amend RSA 485-C:6, I to read as follows:

2            I. The commissioner shall establish and adopt ambient groundwater quality standards for  
3 regulated contaminants which adversely affect human health or the environment. Ambient groundwater  
4 standards shall apply to all regulated contaminants which result from human operations or activities, but  
5 do not apply to naturally occurring contaminants. Where state maximum contaminant levels have been  
6 adopted under RSA 485:3, I(b), or established in law, ambient groundwater quality standards shall be  
7 equivalent to such standards[.] **or** where federal maximum contaminant level or health advisories have  
8 been promulgated under the Federal Safe Drinking Water Act or rules relevant to such act, **the**  
9 **commissioner may adopt** ambient groundwater quality standards [shall be no less stringent than]  
10 **equivalent to** such standards. The commissioner may **also** adopt standards **that are** more stringent than  
11 federal **or state** maximum contaminant levels or **federal** health advisories if, accounting for an adequate  
12 margin of safety to protect human health at all life stages, including but not limited to pre-natal  
13 development, the commissioner determines federal standards are insufficient for protection of human  
14 health. Where such standards are [established] **adopted** based upon health advisories **promulgated**  
15 **under the Federal Safe Drinking Water Act** that address cancer risks, the ambient groundwater quality  
16 standards shall be equivalent to that exposure which causes a lifetime exposure risk of one cancer in  
17 1,000,000 exposed population. Where no federal or state maximum contaminant level or health advisory  
18 has been [issued] **adopted**, the commissioner may adopt ambient groundwater quality standards on a  
19 basis which provides for an adequate margin of safety to protect human health and safety.

20            70:2 Effective Date. This act shall take effect upon its passage.

Approved: June 07, 2023  
Effective Date: June 07, 2023

