

State of New Hampshire

GENERAL COURT

CONCORD

MEMORANDUM

DATE: November 1, 2023

TO: Honorable Sherman Packard, Speaker of the House
Honorable Jeb Bradley, President of the Senate
Honorable Paul C. Smith, House Clerk
Honorable Tammy L. Wright, Senate Clerk
Honorable Chris Sununu, Governor
Michael York, State Librarian

FROM: Representative Jaci Grote, Chair

SUBJECT: Annual Interim Report of the Long-Term Seacoast Commission on Drinking Water
RSA 485-F:6 (HB 495, Chapter 329:1, Laws of 2019)

Pursuant to RSA 485-F:6 (HB 495, Chapter 329:1, Laws of 2019), enclosed please find the Annual Interim Report of the Long-Term Seacoast Commission on Drinking Water.

If you have any questions or comments regarding this report, please do not hesitate to contact me.

I would like to thank those members of the commission who were instrumental in this study. I would also like to acknowledge all those who testified before the commission and assisted the commission in our study.

Enclosures

cc: Members of the Commission

ANNUAL INTERIM REPORT

Long-Term Seacoast Commission on Drinking Water

RSA 485-F:6 (HB 495, Chapter 329:1, Laws of 2019)

November 1, 2023

Members

Representative Jaci Grote (Chair)	Town of Rye, NH
Representative Mike Edgar (Vice Chair)	NH House of Representatives
Senator Debra Altschiller	Senate District 24
Senator Rebecca Perkins-Kwoka	Senate District 21
Martha Fuller Clark	Senate District 21
Representative Tracy Emerick	NH House of Representatives
Representative Tim McGough	NH House of Representatives
Representative Tanya Donnelly	NH House of Representatives
Representative David Meuse	NH House of Representatives
Representative Dennis Malloy	Greenland, NH
Tim Roache	Rockingham Planning Commission
Jen Czysz	Strafford Planning Commission
Brandon Kernen	NH Department of Environmental Services
Brian Goetz	City of Portsmouth, NH
John Storer	City of Dover, NH
George Eaton	Town of Seabrook, NH
Ralph Hickson (replaced Arthur Ditto)	Rye Water District, Rye, NH
David Moore	Town of Stratham, NH
Patricia Bushway	Town of Hampton, NH
David Ciccalone	Town of North Hampton, NH

Patricia Bickford	Town of Madbury, NH
Bob Kelly	Town of Exeter, NH
Margaret Lamson	Town of Newington, NH & Senate District 21
Dr. Kathy Hollister	Town of New Castle, NH
Danna Truslow	Senate District 24
Carl McMorran	Aquarion Water Company
Ann Lightbody	University of New Hampshire
Joseph Ayotte	United States Geological Survey

Commission Charge and Study Purpose:

IV. The commission shall:

- (a) Continue the work of the RSA485-F:5 seacoast commission on long-term goals and requirements for drinking water which was repealed on November 1, 2018.
- (b) Utilize and expand upon existing studies to plan for seasonal or drought supply issues.
- (c) Prepare and discuss mutual aid between seacoast towns for firefighting.
- (d) Prepare and discuss mutual aid agreements for emergency or replacement drinking water supply where contaminated.
- (e) Encourage coordination between towns and cities.
- (f) Establish working subgroups as needed.
- (g) Monitor and review the work of state agencies regarding possible new emerging contaminant threats.

Introduction:

The Long-Term Seacoast Commission on Drinking Water completed its fourth year of considering issues pertaining to drinking water in communities in the Seacoast area. The Commission met in November of 2022 and met quarterly in 2023.

The following changes to the commission membership occurred over the past year:

Resigned from the commission: Mr. Arthur Ditto resigned as the commissioner from the town of Rye and was replaced by Mr. Ralph Hickson.

Appointed to the commission: Representative Tim McGough, and Representative Tanya Donnelly appointed by the Speaker of NH House of Representatives.

Progress to Date:

The following is a summary of the major events of the commission in 2023. In all cases, additional details about a specific topic may be found in the meeting minutes on the commission's webpage.

As the Commission has done since its inception, the group continued to focus on issues relating to drinking water that have the potential to impact the member communities of the Seacoast. That work included three major accomplishments in 2023 beginning with the Private Well Initiative (PWI) conducted in conjunction with the Department of Environmental Services (DES) to provide testing for private well owners in the seacoast towns. Secondly, the Commission's Interconnectivity committee initiated the update of a study conducted in 2006 that considered issues of water quality and infrastructure of the seacoast towns included. The update will also be expanded to include towns not previously studied. Additionally, the Commission's Household Hazardous Waste committee initiated a study to determine the feasibility of a regional approach to household hazardous waste disposal in the seacoast region to provide better accessibility to that service.

Summary of Commission Meetings

The Commission met on November 18th, 2022. The Commission members decided to establish task-oriented committees to focus on specific topics of interest to the Commission and to begin commission meetings quarterly rather than monthly. The members decided to establish an Education Committee to serve as a conduit for information to the member communities; a Household Hazardous Waste Committee to focus on disposal of household waste and pharmaceuticals used in the household; and an Interconnectivity Committee to focus on community mutual support as it relates to drinking water. The quarterly meetings for 2023 were on February 10th, May 5th, July 27th, and October 12th.

At three of the four meetings covered in this report, Amy Hudnor, Department of Environmental Services (DES) provided an update on the Seacoast Private Well Initiative (PWI) including test results by town and the test schedule for the year. State Representative Mike Edgar and Pat Bushway provided the update on the Hampton and Seabrook event at the October meeting. As of the end date of this report, outreach to the towns of Madbury, Stratham, Exeter, North Hampton, Hampton, and Seabrook has been completed. The towns that remain to be included in the initiative are Portsmouth, New Castle, Greenland, Newington, Rye, and Dover.

The Commission met on February 10th, 2023. Following the PWI update by Amy Hudnor and Harvey Pine, DES, on test results for Madbury, and planned testing in Exeter, North Hampton, and Stratham, the commission received updates from the committees beginning with the Interconnectivity Committee chaired by Brian Goetz. The committee recommended an update of a study done in 2006 on interconnectivity in the seacoast region. The study update would include expanded scope and geographic area; a review of existing and needed connections; a review of existing agreements between communities; water demand and sources throughout the region; water quality and quantity; and systems compatibility. The Commission directed the

committee to develop a Request For Proposal (RFP) for approval at the next commission meeting.

Danna Truslow, the chair of the Household Hazardous Waste Committee, reported that the committee focused on information to be passed to the Education Committee. The committee also discussed collaboration among communities on household hazardous waste disposal, and a more centralized and coordinated approach for improved efficiency and effectiveness. The committee agreed to consider that in more detail with assistance from DES and the regional planning commissions.

State Representative Dennis Malloy, chair of the Education Committee, reported that the committee will look for opportunities to present useful information to the member municipalities.

At the February, May and July meetings, State Representative David Meuse presented an overview of legislation under consideration in the General Court that has the potential to affect drinking water in the region.

The Commission met on May 5th, 2023. Brandon Kernen, DES, provided an update on the recently changed maximum contaminant levels for per- and polyfluoroalkyl substances (PFAS) from the Environmental Protection Agency that establishes the new limit at 4 parts per trillion. He said perfluorooctanoic acid (PFOA) is a major issue in southern NH, and public water sources could be impacted and may exceed the established limits. The commission discussed the implications of this issue in terms of water quality and potential impacts on specific communities.

The committees provided updates beginning with Interconnectivity Committee chair Brian Goetz reporting that a draft RFP for the study update will be submitted to support a request for funding from available state funds.

Danna Truslow reported that the Household Hazardous Waste Committee continued its work on a regionalization initiative to increase availability of disposal opportunities. This is a feasibility study at this point and the committee will seek funding from the state to support the effort.

Representative Dennis Malloy reported that the Education Committee has identified community points of contact to achieve widest dissemination of information such as the information on hazardous waste collection.

Following a legislative update by Representative David Meuse, the members discussed relevant pieces of legislation and the commission's role in supporting legislation relative to drinking water and in proposing legislation if necessary.

The Commission met on July 27th, 2023. Brandon Kernen presented the Water Conditions Update. There were no drought conditions, but above average precipitation and temperatures led to cyanobacteria in water and the potential of nutrients and toxins in drinking water. He explained that \$8.9M per year for the next 3 years will be available from EPA to address drinking water issues, mostly for public water systems but some may be available for private wells pending the outcome of federal legislation.

As part of her PWI update, Amy Hudnor discussed resources available for treatment information such as the DES “Be Well Informed” page on the DES website. She also explained that water pitchers are being provided to qualified well owners with exceedances and that there is funding available for rebates of up to \$5K for PFAS treatment and up to \$10K to tie into a public water system.

Brian Goetz reported on the Interconnectivity Committee plan to update the 2006 study. The Request For Quote (RFQ) had been drafted, and input was solicited from the communities to ensure their participation. Following funding approval by the Executive Council, the RFQ would be issued, candidate companies interviewed, and the selection can be made in December for the contract that will run until December 2024.

Danna Truslow reported that the Household Hazardous Waste Committee has reviewed the draft Request for Proposal (RFP) for the regionalization feasibility study. Ms Truslow collected upcoming household hazardous waste disposal dates in the communities and provided those to the Education committee.

Representative David Meuse presented an overview of the recently completed legislative session that included bills for PFAS response, addressing cyanobacteria mitigation, blood testing for lead, and a requirement for private well testing with real estate transactions. The Commission members discussed possible actions to be taken in the next legislative session.

The Commission met on October 12th, 2023. Following a review of the draft interim annual report, Representative Mike Edgar and Pat Bushway provided an update on the latest results of the Private Well Initiative and the plan to complete the testing in the fall of 2023 and winter of 2024.

The Commission received briefings from Karen Craver of DES, the Administrator of the Environmental Health Program which includes expertise in epidemiology, toxicology, health risk assessment, and risk communication. She was joined by Dr. Jonathan Petali, toxicologist for the DES Environmental Health Program. Both presentations focused on environmental risks to drinking water.

Brian Goetz reported on the Interconnectivity Committee ongoing plan for the study update. In response to the RFQ five organizations submitted proposals that are currently being reviewed by the committee. Mr. Goetz explained that the next step is to narrow the field to three and then select from those three. As planned, the contract will be awarded in December.

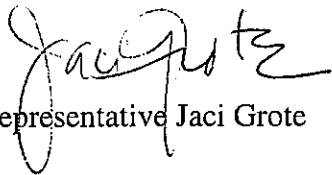
Danna Truslow reported that the scope of work for the regionalization feasibility study was approved by DES and will now go to the Governor and Executive Council in early November for approval. She also reported that a number of communities have conducted or will conduct household hazardous waste collection days this fall.

Brandon Kernan provided a briefing on an issue that is impacting communities whose water is provided by a privately owned utility. These corporations pay state utility taxes and local

property taxes on the infrastructure that they own and operate. Some are encountering problems with increasing costs when new infrastructure is constructed to address problems with contaminants for some homeowners. That infrastructure is transferred to the water company that must then absorb the increased tax burden which can exceed the revenue generated by the new customers. The entire community could see increased water rates as a result of water infrastructure expansion or improvements. Mr. Kernan said that legislation will be considered in the next session to address the issue.

The Way Ahead

The Commission will continue to address the Commission Charges outlined in Section I. In the coming year, it is anticipated that the Private Well Initiative for the seacoast will be completed as will the studies on Interconnectivity and Household Hazardous Waste Disposal. Efforts to fill commission vacancies will continue.



Representative Jaci Grote

Chair, Seacoast Commission on Long-Term Goals and Requirements for Drinking Water

