NHDES UPDATE

WATER IS WORTH IT!

March 6, 2019

Commissioner Robert Scott
NH’s Hot Topics

- Funding Updates
  - CW/DWSRF
  - Drinking Water Groundwater Trust Fund
- Regulatory Updates
  - PFAS
  - Arsenic
- NPDES Updates
  - MS4 Assistance
  - NPDES Delegation
- Legislation
Clean Water SRF – 2018 Capitalization Grant

- 2018 Funding - $19,248,000
  - 2018 EPA Capitalization Grant
    - $16,040,000
    - 20% state match
    - $3,208,000
- Total Projects - $112M
  - 50 Wastewater Infrastructure Projects
  - 7 Planning Evaluations
  - 15 Asset Management Projects

(Note: Expect level funding for 2019)
Drinking Water SRF – 2018 Capitalization Grant

- 2018 Funding - $13,328,400
  - 2018 EPA Capitalization Grant
    - $11,107,000
    - 20% state match
      - $2,221,400

- Total Projects
  - 10 Infrastructure Project Funds
  - 15 Asset Management Grants
2019 DWSRF Outlook

- 2019 Funding Estimate - $15,600,000

- 2019 EPA Capitalization Grant
  - $13,000,000
  - 20% state match
  - $2,600,000
DWGTF Commission Approved Projects

- $63M in Individual Project Grants and Loans
- 38 Infrastructure Projects Approved
- 15 Source Water Protection Projects Approved – protecting ~ 4,750 acres
- $30.2M for Southern NH Regional Water Project
DWGTF Total 2017-2018 Investment $133.5M 2017-2018*

Leveraged Funding Sources

- State and/or Federal Loan and Grant Programs
- Municipalities
- Local Contributions
- Private Contributions
- MtBE Settlement Funds

*Total does not include $30.2M grant for the Southern NH Regional Water Project.
First Infrastructure to be built – Spring 2019*
Per- and polyfluoroalkyl substances (PFAS)

2016, NHDES adopts EPAs health advisory for PFOA and PFOS as an Ambient Groundwater Quality Standard (AGQS) – 70 ppt combined

2018, Senate Bill 309
- NHDES shall initiate rulemaking to adopt Drinking Water Maximum Contaminant Levels (MCLs) for four per- and polyfluoroalkyl substances (PFAS)
  - perfluorooctanoic acid (PFOA)
  - perfluorooctanesulfonic acid (PFOS)
  - perfluorononanoic acid (PFNA)
  - perfluorohexanesulfonic acid (PFHxS)
- Once adopted, MCLs then become the AGQSs by law
PFAS cont’d

Initial proposal for drinking water standards that are protective of the most sensitive populations over a lifetime:

<table>
<thead>
<tr>
<th>PFAS</th>
<th>Proposed MCL and AGQS</th>
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</thead>
<tbody>
<tr>
<td>PFOA</td>
<td>38 ppt</td>
</tr>
<tr>
<td>PFOS</td>
<td>70 ppt</td>
</tr>
<tr>
<td>PFOA &amp; PFOS (combined)</td>
<td>70 ppt</td>
</tr>
<tr>
<td>PFHxS</td>
<td>85 ppt</td>
</tr>
<tr>
<td>PFNA</td>
<td>23 ppt</td>
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</table>
PFAS cont’d

- 2018, Senate Bill 309
- By January 1, 2020 NHDES shall develop a plan, including a schedule and cost estimates, to establish **surface water quality standards** for four per- and polyfluoroalkyl substances (PFAS)
  - PFOA
  - PFOS
  - PFNA
  - PFHxS
- For **all** designated uses.
Arsenic

- NHDES has been enforcing a limit of 10 ppb established by EPA since 2006.
- Prior to 2006 the limit was 50 ppb.
- 2018, House Bill 1592, Directed NHDES to “review the ambient groundwater standard for arsenic to determine whether it should be lowered”
- On December 31, 2018 recommended 5 ppb
National Pollutant Discharge Elimination System (NPDES)

- Municipal Separate Storm Sewer System (MS4) requirements
  - Governor’s budget trailer, HB 2 includes 3 staff positions to provide NPDES/MS4 technical assistance
NPDES Program Delegation

- 2017, Senate Bill 121 looked at delegation of MS4 program. Determined that this was not possible since all NPDES program elements must be taken.
- 2018, Senate Bill 450 established NPDES advisory commission and required final report by November 1, 2019 but no money was appropriated for hiring a consultant.
- HB 2 includes $350,000 for hiring consultant.
Upcoming Report:
What Is Our Water Worth?

- **Goal:** Gather & develop info on worth and cost of water resources & services.

- **Preview:**
  - Water utilities: 289,000 jobs (US)
  - Protecting land in Great Bay watershed = $40 M value
  - Waterfront property = tax revenue for towns
  - NH does not collect enough data
2019 Legislation

- **SB254/HB352** appropriating funds to eligible wastewater projects under the state aid grant program
- **SB 287** - requiring the department of environmental services to revise rules relative to perfluorinated chemical contamination in drinking water
- **HB261**, requiring the department of environmental services to revise rules relative to arsenic contamination in drinking water
- **HB107**, making appropriations for controlling invasive aquatic species
- **HB475**, establishing a shoreland septic system study commission
- **SB169**, recovery of expenditures from the drinking water and groundwater trust fund
- **SB171**, appropriating money to remove lead from drinking water pipes in schools
- **HB325**, relative to control of marine pollution and aquatic growth
- **HB495**, establishing a commission on drinking water
- **HB543** relating to the protection of wetlands
Thank you for your commitment to clean water