

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

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REVISION NOTE #1:

Document #9699, effective 5-1-10, adopted new rules in a new Part Env-Dw 701, and readopted with amendments and renumbered former rules Env-Ws 310.01 and Part Env-Ws 312 through Part Env-Ws 316 under a new subtitle, respectively, as Env-Dw 701.01 and Part Env-Dw 702 through Part Env-Dw 706.

Document #9700, effective 5-1-10, readopted with amendments and renumbered many former rules in Env-Ws 300 under a new subtitle in Env-Dw 700 as follows:

<u>Former Rule</u>	<u>New Rule</u>
Env-Ws 321.01	Env-Dw 707.01
Env-Ws 310.02	Env-Dw 707.02
Env-Ws 321.02	Env-Dw 707.03
Env-Ws 321.03	Env-Dw 707.04
Env-Ws 321.04(a) & (b)	Env-Dw 707.05
Env-Ws 330.01 & 330.02	Env-Dw 707.06-707.08
Env-Ws 321.06, 321.04(c), 321.09-321.15	Env-Dw 708.01-708.08
Env-Ws 321.05	Env-Dw 708.09
Env-Ws 321.16	Env-Dw 708.10
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Env-Ws 321.18	Env-Dw 708.12
Env-Ws 325	Env-Dw 709
Env-Ws 324	Env-Dw 710
Env-Ws 326.01-326.09	Env-Dw 711.01-711.06(a)
Env-Ws 321.19	Env-Dw 711.06(b)
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Env-Ws 321.08	Env-Dw 712.19
Env-Ws 329	Env-Dw 713

Document #9701, effective 5-1-10, readopted with amendments and renumbered former rules Env-Ws 322.10 and Env-Ws 322.11 under a new subtitle, respectively, as Env-Dw 719.01 through Env-Dw 719.03.

The redesignation from subtitle Env-Ws to subtitle Env-Dw was done pursuant to a rules reorganization plan for Department rules approved by the Director of the Office of Legislative Services on 9-7-05.

Documents #9699, #9670, and #9671 replaced all prior filings for the former rules as cited above. The prior filings for these former rules, beginning with Document #6521, eff 6-4-97, which had readopted with amendments the entire Chapter Env-Ws 300, include the following documents:

<u>Env-Ws 310</u>	<u>Env-Ws 322</u>
#6521, eff 6-4-97	#6521, eff 6-4-97
#8360, INTERIM, eff 6-4-05	#7501, eff 6-5-01
#8474, eff 11-30-05	#9473, INTERIM, eff 6-5-09
	#9606, EMERGENCY, eff 12-1-09

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<u>Env-Ws 312, 313, and 314</u> #6521, eff 6-4-97 #8360, INTERIM, eff 6-4-05 #8474, eff 11-30-05	<u>Env-Ws 324</u> #8040, eff 2-14-04
<u>Env-Ws 315</u> #6521, eff 6-4-97 #7735, eff 8-2-02 #8360, INTERIM, eff 6-4-05 #8474, eff 11-30-05	<u>Env-Ws 325 and 326</u> #6521, eff 6-4-97 #7501, eff 6-5-01 #9473, INTERIM, eff 6-5-09 #9606, EMERGENCY, eff 12-1-09
<u>Env-Ws 316</u> #6521, eff 6-4-97 #7645, eff 2-8-02 #8360, INTERIM, eff 6-4-05 #8474, eff 11-30-05	<u>Env-Ws 327</u> #6521, eff 6-4-97 #7501, eff 6-5-01 #7735, eff 8-2-02 #8351, eff 5-14-05 #9473, INTERIM, eff 6-5-09 #9606, EMERGENCY, eff 12-1-09
<u>Env-Ws 321</u> #6521, eff 6-4-97 #7352, eff 8-24-00 #7501, eff 6-5-01 #8040, eff 2-14-04 #9473, INTERIM, eff 6-5-09 #9606, EMERGENCY, eff 12-1-09	<u>Env-Ws 329 and 330</u> #6521, eff 6-4-97 #7501, eff 6-5-01 #9473, INTERIM, eff 6-5-09 #9606, EMERGENCY, eff 12-1-09

Parts Env-Ws 309, 311, 317 through 320, 323, and 328 had already been deleted and the numbers reserved by filings prior to Documents #9699, #9670, and #9671.

REVISION NOTE #2:

Document #9619, effective 1-1-10, adopted rules in a new Part Env-Dw 715, which was intended to replace the former rules in Part Env-Ws 382. Document #9733, effective 6-24-10, subsequently repealed the former rules Env-Ws 382.

Part Env-Dw 715 in Document #9619, upon the repeal of the former rules in Part Env-Ws 382, replaced all prior filings for the former rules. The prior filings for the former rules Env-Ws 382 include the following documents:

- #7735, eff 8-2-02
- #8351, eff 5-14-05

Document #9620, effective 1-1-10, adopted rules in a new Part Env-Dw 716, which was intended to replace the former rules in Part Env-Ws 380. Document #9732, effective 6-24-10, subsequently repealed the former rules Env-Ws 380.

Part Env-Dw 716 in Document #9620, upon the repeal of the former rules in Part Env-Ws 380, replaced all prior filings for the former rules. The prior filings for the former rules Env-Ws 380 include the following documents:

- #6521, eff 6-4-97
- #7754, eff 8-21-02
- #8352, eff 5-14-05

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REVISION NOTE #3:

Document #9760, effective 7-30-10, adopted some new rules in a new Part Env-Dw 720, and readopted with amendments and renumbered some former rules in Env-Ws 300 in the new Part Env-Dw 720, as follows:

<u>Former Rule</u>	<u>New Rule</u>
Env-Ws 303.05	Env-Dw 720.01
Env-Ws 306.01	Env-Dw 720.02
Env-Ws 306.02	Env-Dw 720.03-720.06
(no former rule)	Env-Dw 720.07-720.09

Documents #9760 replaced all prior filings for the former rules as cited above. The prior filing for Env-Ws 303.05 and Env-Ws 306.02 was in Document #8498, effective 11-30-05. The prior filings for Env-Ws 306.02 include the following documents:

#6521, eff 6-4-97
#8360, INTERIM, eff 6-4-05
#8498, eff 11-30-05

REVISION NOTE #4:

Document #9859, effective 2-8-11, adopted rules in a new Part Env-Dw 714, which was intended to replace the former rules in Part Env-Ws 381 entitled “Corrosion Control Treatment, Lead and Copper Action Levels.” The former rules Env-Ws 381 expired 1-31-11.

Part Env-Dw 714 in Document #9859 replaced all prior filings for the former rules. The prior filings for the former rules Env-Ws 381, beginning with Document #5422, eff 6-22-92, include the following documents:

#5422, eff 6-22-92
#5873, eff 7-26-94
#6521, eff 6-4-97
#7734, eff 8-2-02
#8351, eff 5-14-05
#9598, eff 11-21-09
#9757, INTERIM, eff 8-2-10, EXPIRED 1-31-11

REVISION NOTE #5:

Document #10617, effective 6-1-14, amended Env-Dw 701.01 introduction and paragraph (j), and adopted new rules Env-Dw 701.04 and Env-Dw 701.05.

Document #10617 also:

- Readopted with amendments and renumbered former Env-Ws 304.01, entitled “Recordkeeping Responsibility”, under a new subtitle as Part Env-Dw 718, entitled “Recordkeeping Requirements;”
- Readopted with amendments and renumbered former Part Env-Ws 341, entitled “Variances and Exemptions”, and Part Env-Ws 343, entitled “Exemptions Issued by the Department”, as Env-Dw 721, entitled “Exemptions;” and
- Readopted with amendments and renumbered former Part Env-Ws 345, entitled “Best Available Technology, Treatment Techniques, or Other Means Generally Available”; former Part Env-Ws 346, entitled “Best Available Treatment (BAT) for Inorganic Chemicals”; and former Part Env-Ws 347, entitled “Best Available Treatment-Organics”, as Part Env-Dw 722, entitled “Best Available Technology and treatment Techniques”.

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The redesignation from subtitle Env-Ws to subtitle Env-Dw for the rules above was done pursuant to a rules reorganization plan for Department rules approved by the Director of the Office of Legislative Services on 9-7-05.

The former Env-Ws 304.01, and former Parts Env-Ws 341, 343, 345, 346, and 347, had last been filed under Document #8498 or #8497, effective 11-30-05, as noted below. These former rules did not expire on 11-30-13 since they were extended pursuant to RSA 541-A:14-a until replaced by the rules in Document #10617, effective 6-1-14.

Document #10617 replaces all prior filings for the former rule Env-Ws 304.01 and the rules formerly in Env-Ws 341, 343, 345, 346, and 347. The prior filings for these former rules, beginning with Document #6521, effective 6-4-97, which had readopted with amendments the entire Chapter Env-Ws 300, include the following documents:

Env-Ws 304.01

#6521, eff 6-4-97 (as Env-Ws 304.10)
#8360, INTERIM, eff 6-4-05 (as Env-Ws 304.10)
#8498, eff 11-30-05

Env-Ws 341 & Env-Ws 343

#6521, eff 6-4-97
#8360, INTERIM, eff 6-4-05
#8497, eff 11-30-05

Env-Ws 346

#6521, eff 6-4-97
#7645, eff 2-8-02
#7735, eff 8-2-02
#8360, INTERIM, eff 6-4-05
#8497, eff 11-30-05

Env-Ws 345

#6521, eff 6-4-97
#8040, eff 2-14-04
#8360, INTERIM, eff 6-4-05
#8497, eff 11-30-05

Env-Ws 347

#6521, eff 6-4-97
#7261, eff 5-4-00
#8360, INTERIM, eff 6-4-05
#8497, eff 11-30-05

REVISION NOTE #6:

Document #10618, effective 6-1-14, readopted with amendments and renumbered former Part Env-Ws 308, entitled "Criteria and Procedures for Non-Central Treatment", under a new subtitle as Part Env-Dw 723, entitled "Non-Central Treatment". The redesignation from subtitle Env-Ws to subtitle Env-Dw was done pursuant to a rules reorganization plan for Department rules approved by the Director of the Office of Legislative Services on 9-7-05.

The former Part Env-Ws 308 had last been filed under Document #8498, effective 11-30-05. The rules in the former Part Env-Ws 308 did not expire on 11-30-13 but were extended pursuant to RSA 541-A:14-a until replaced by the rules in Document #10618, effective 6-1-14.

Document #10618 replaces all prior filings for rules formerly in Env-Ws 308. The prior filings for rules in the former Env-Ws 308, beginning with Document #6521, effective 6-4-97, which had readopted with amendments the entire Chapter Env-Ws 300, include the following documents:

#6521, eff 6-4-97
#8360, INTERIM, eff 6-4-05
#8498, eff 11-30-05

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APPENDIX A - STATUTES/REGULATIONS IMPLEMENTED

Rule Section(s)	State Statute(s) Implemented	Federal Regulation(s) Implemented
Env-Dw 701 (see also specific sections/ paragraphs below)	RSA 485:1, I	40 CFR 141 Subpart A
Env-Dw 701.01 intro	RSA 485:41, IV	
Env-Dw 701.01(a)	RSA 485:1, I	40 CFR 141 Subpart A
Env-Dw 701.01(b)	RSA 485:44, I	40 CFR 141.28
Env-Dw 701.01(c)	RSA 485:41, IV	
Env-Dw 701.01(d)	RSA 485:3, I	40 CFR 141 Subpart H, I, L
Env-Dw 701.01(e)	RSA 485:3, I	40 CFR 141 Subpart S
Env-Dw 701.01(f)	RSA 485:1, II(a)	40 CFR 141 Subpart D
Env-Dw 701.01(g)	RSA 485:41, IV	
Env-Dw 701.01(h)	RSA 485:41, IV	
Env-Dw 701.01(i)	RSA 485:3, VIII	40 CFR 142 Subpart G
Env-Dw 701.01(j)	RSA 485:1-a; RSA 485:3	40 CFR 141 Subpart J
Env-Dw 701.02	RSA 485:1, II	40 CFR 141 Subpart A
Env-Dw 701.03	RSA 485:3, I	40 CFR 141 Subpart G
Env-Dw 701.04	RSA 485:3, I, III, V, & VI RSA 485:41, II & IV	40 CFR 141.2
Env-Dw 701.05	RSA 485:3, I, III, V, & VI RSA 485:41, II & IV	40 CFR 141.2
Env-Dw 702	RSA 485:3, I	40 CFR 141.52; 40 CFR 141.63
Env-Dw 702.02	RSA 485:3, I	40 CFR 141.52; 40 CFR 141.63; 40 CFR 141.860
Env-Dw 702.03	RSA 485:3, I	40 CFR 141.52; 40 CFR 141.63
Env-Dw 703	RSA 485:3, I	40 CFR 141.55; 40 CFR 141.66
Env-Dw 704	RSA 485:3, I	40 CFR 141.51; 40 CFR 141.62
Env-Dw 705 (see also specific section below)	RSA 485:3, I	40 CFR 141.50; 40 CFR 141.53; 40 CFR 141.54; 40 CFR 141.61; 40 CFR 141.64; 40 CFR 141.65
Env-Dw 705.05	RSA 485:3, IV	40 CFR 141.111
Env-Dw 706	RSA 485:3, I(a), I(b)(1), II; RSA 485:16-a; 485:3, I	40 CFR 143.3; 40 CFR 141.64; 40 CFR 141.65
Env-Dw 707.01	RSA 485:3, I	
Env-Dw 707.02(a)	RSA 485:3, I (c)	40 CFR 141 Subpart C
Env-Dw 707.02(b)	RSA 485:3, I (c); 485:35	40 CFR 141 101
Env-Dw 707.02 (c)	RSA 485:3, I	40 CFR 141 Subparts C & Y
Env-Dw 707.03	RSA 485:3, I	40 CFR 141.29
Env-Dw 707.04 - 707.05	RSA 485:3, I	
Env-Dw 707.04(d)	RSA 485:3, I	Env-Dw 707.04(d)
Env-Dw 707.06 - 707.08	RSA 485:3, I	
Env-Dw 707.06 (a), (d) intro & (1)	RSA 485:3, I	40 CFR 141, 142, & 143; 40 CFR 141.852(a) & (c)
Env-Dw 707.07(b)	RSA 485:3, I	40 CFR 141.28; 40 CFR 141.852(b)
Env-Dw 708.01	RSA 485:3, I	
Env-Dw 708.02	RSA 485:3, I	40 CFR 141.24 (f); 40 CFR 141.853 - 141.857
Env-Dw 708.03	RSA 485:3, I	

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Rule Section(s)	State Statute(s) Implemented	Federal Regulation(s) Implemented
Env-Dw 708.04 (c)(2);	RSA 485:3, I	40 CFR 141.24 (f); 40 CFR 141.853 - 141.857
Env-Dw 708.05	RSA 485:3, I	40 CFR 141.24 (f)
Env-Dw 708.05(d)	RSA 485:3, I	40 CFR 141.24 (f); 40 CFR 141.853 - 141.857
Env-Dw 708.06	RSA 485:3, I	
Env-Dw 708.07	RSA 485:3, I	
Env-Dw 708.08	RSA 485:3, I	
Env-Dw 708.09	RSA 485:3, I	40 CFR 141.32
Env-Dw 708.10	RSA 485:3, I	
Env-Dw 708.11	RSA 485:3, I	
Env-Dw 708.12	RSA 485:41, I	40 CFR 141.26; 40 CFR 141.66
Env-Dw 709.01 - 709.25	RSA 485:3, I	40 CFR 141.21; 40 CFR 141.853 - 141.861
Env-Dw 710.01	RSA 485:3, I	40 CFR 141.26
Env-Dw 710.02	RSA 485:3, I	40 CFR 141.66
Env-Dw 710.03 - 710.11	RSA 485:3, I; 485:41, I, & IV	40 CFR 141.26
Env-Dw 710.12	RSA 485:41, IV	40 CFR 141 Subpart C, Appendix A; 40 CFR 142 & 143
Env-Dw 711.01 - 711.03	RSA 485:3, I (c)	40 CFR 141.23(a)
Env-Dw 711.04	RSA 485:3, I (c)	40 CFR 141.23(a)
Env-Dw 711.05 - 711.07	RSA 485:3, I (c)	40 CFR 141.23(a)
Env-Dw 711.05(f) & (h)(2); 711.06; 711.07(a) & (f)	RSA 485:3, I (c)	40 CFR 141.23(a); 40 CFR 142 & 143
Env-Dw 711.08	RSA 485:41, IV	40 CFR 141.31
Env-Dw 711.09 - 711.15	RSA 485:3, I (c)	40 CFR 141.23(b)
Env-Dw 711.16	RSA 485:41, IV	40 CFR 141
Env-Dw 711.17	RSA 485:3, I	40 CFR 141.23 (b)
Env-Dw 711.18 - 711.22	RSA 485:3, I	40 CFR 141.23
Env-Dw 711.19(d)(1); 711.20(c)(2); 711.22	RSA 485:3, I	40 CFR 141.23; 40 CFR 142 & 143
Env-Dw 711.23	RSA 485:41, IV	40 CFR 141.31
Env-Dw 711.24 - 711.28	RSA 483:3, I	40 CFR 141.23
Env-Dw 711.29	RSA 485:41, IV	40 CFR 141.31
Env-Dw 712.01 - 712.02	RSA 485:3, I	40 CFR 141.40
Env-Dw 712.03	RSA 485:3; 485:41	40 CFR 141.24
Env-Dw 712.04	RSA 485:3, I	
Env-Dw 712.05	RSA 485:3, I	40 CFR 141.24 (f)
Env-Dw 712.05(f)(2)	RSA 485:3, I	
Env-Dw 712.06 - 712.07	RSA 485:3, I	40 CFR 14.23 (k)
Env-Dw 712.08	RSA 485:41, IV	40 CFR 141.23
Env-Dw 712.09 - 712.10	RSA 485:3, I	40 CFR 141.24 (f)
Env-Dw 712.11	RSA 485:3, I	
Env-Dw 712.12	RSA 485:3, I	
Env-Dw 712.13	RSA 485:3, I	
Env-Dw 712.14	RSA 485:41, IV	40 CFR 141.31
Env-Dw 712.15 - 712.16	RSA 485:3, I	
Env-Dw 712.17	RSA 485:3, I(c)	40 CFR 141.132
Env-Dw 712.18	RSA 485:3, I	40 CFR 141.30

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Rule Section(s)	State Statute(s) Implemented	Federal Regulation(s) Implemented
Env-Dw 712.19	RSA 485:3, I	40 CFR 141.24(e)(6)
Env-Dw 712.19(b)(3), (b)(9)c.1	RSA 485:3, I	40 CFR 141.30
Env-Dw 713.01 - 713.05	RSA 485:3, II	40 CFR 143.4
Env-Dw 713.06	RSA 485:3, I(c)	
Env-Dw 713.07	RSA 485:41, IV	40 CFR 141.31
Env-Dw 713.08	RSA 485:3, II	
Env-Dw 714	RSA 485:1; RSA 485:3, I & VII	40 CFR 141 Subpart I (§§80-91)
Env-Dw 714.01	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.1; 40 CFR §141.80(a)-(b)
Env-Dw 714.02	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.2
Env-Dw 714.03	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.80(c)
Env-Dw 714.04	RSA 485:1; RSA 485:3, I & VII	40 CFR §§141.81 - 141.83; §§141.86 - 141.88
Env-Dw 714.05	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.84
Env-Dw 714.06	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.85
Env-Dw 714.07	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.90
Env-Dw 714.08	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.86
Env-Dw 714.09	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.87
Env-Dw 714.10	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.88
Env-Dw 714.11	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.89
Env-Dw 714.12	RSA 485:1; RSA 485:3, I & VII	40 CFR §141.91
Env-Dw 715	RSA 485:3, I(c) RSA 485:41, II & IV	40 CFR 141 Subpart L (§§130-135); 40 CFR 141 Subpart U (§§600-605); 40 CFR 141 Subpart V (§§620-629)
Env-Dw 716	RSA 485:3, I & VI RSA 485:41, II & IV	40 CFR 141 Subpart H (§§70-76) 40 CFR 141 Subpart P (§§171-175) 40 CFR 141 Subpart T (§§500-571) 40 CFR 141 Subpart W (§§700-723)
Env-Dw 717.01	RSA 485:3, I	40 CFR 141.400(a)
Env-Dw 717.02	RSA 485:3, I	40 CFR 141.400(b)
Env-Dw 717.03	RSA 485:3, I	40 CFR 141.2, 141.400(b) & 142.16
Env-Dw 717.04	RSA 485:3, I & VI	40 CFR 141.400(d)
Env-Dw 717.05	RSA 485:3, I	40 CFR 141.402(e)
Env-Dw 717.06	RSA 485:3, I	40 CFR 141.402
Env-Dw 717.07	RSA 485:3, I & VI	40 CFR 141.402(f) & 141.403(b)
Env-Dw 717.08	RSA 485:3, I & VI	40 CFR 141.400(b)
Env-Dw 717.09	RSA 485:3, I & VI	40 CFR 141.400(a); 40 CFR 141.403(b)(1)
Env-Dw 717.10	RSA 485:3, I & VI	40 CFR 141.403(c)
Env-Dw 717.11	RSA 485:3, I & VI	40 CFR 141.400(a)
Env-Dw 717.12	RSA 485:3, I & VI	40 CFR 141.402(a)
Env-Dw 717.13	RSA 485:3, I & VI	40 CFR 141.402(a); 40 CFR 141.403(b)(1)
Env-Dw 717.14	RSA 485:3, I & VI	40 CFR 141.400(b)
Env-Dw 717.15 - 717.17	RSA 485:3, I & VI	40 CFR 141.402(b)
Env-Dw 717.18	RSA 485:3, I & VI	40 CFR 141.405(a)
Env-Dw 717.19	RSA 485:3, I & VI	40 CFR 141.405(b)
Env-Dw 717.20	RSA 485:3, I & VI	40 CFR 141.403; 40 CFR 141.405(a)
Env-Dw 717.21	RSA 485:3, I & VI	40 CFR 141.202; 40 CFR 141.203; 40 CFR 141.402(h); 40 CFR 141.404
Env-Dw 717.22	RSA 485:3, I & VI	40 CFR 141.402(g) & 141.403(a)

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Rule Section(s)	State Statute(s) Implemented	Federal Regulation(s) Implemented
Env-Dw 717.23	RSA 485:3, I & VI	40 CFR 141.400(a)
Env-Dw 717.24	RSA 485:3, I & VI	40 CFR 141.400(b)
Env-Dw 717.25	RSA 485:3, I & VI	40 CFR 141.400(a)
Env-Dw 718	RSA 485:41, IV	40 CFR 141 Subpart D
Env-Dw 719	RSA 485:41, IV	40 CFR 141.31
Env-Dw 720 (also see specific sections below)	RSA 485:1, 3, 4, 41, 43, 45, 58	40 CFR 141; 40 CFR 142
Env-Dw 720.01 - 720.03	RSA 485:1, II(a), (d), (e), & (h) RSA 485:3, I(c); RSA 485:4, I & III RSA 485:41, V RSA 485:45	40 CFR 141.21(d); 40 CFR 141.401; 40 CFR 142.10(b)(2)
Env-Dw 720.04 - 720.06	RSA 485:1, I; RSA 485:3, I(c); RSA 485:58, I	40 CFR 141.21(d); 40 CFR 141 Subpart D (§§31-35) 40 CFR 141 Subpart S (§§400-405)
Env-Dw 720.07 - 720.13	RSA 485:1, I; RSA 485:3, I(c)	40 CFR 141.859
Env-Dw 720.14	RSA 485:1, I; RSA 485:3, I(c)	40 CFR 141.860
Env-Dw 720.15	RSA 485:1, I; RSA 485:3, III(b)	
Env-Dw 720.16	RSA 485:1, I; RSA 485:41, IV	40 CFR 141.33; 40 CFR 141 Subpart S
Env-Dw 721	RSA 485:3, I & III; RSA 485:42	40 CFR 142 Subparts C and F
Env-Dw 722	RSA 485:3, I, V, & VI; RSA 485:41, II	40 CFR 141 Subpart K; 40 CFR 142 Subpart G
Env-Dw 723	RSA 485:3, I, V, & VI; RSA 485:41, II	40 CFR 141 Subpart J; 40 CFR 142 Subpart F

Appendix B - Federal Definitions**40 CFR §141.2**

Coagulation means a process using coagulant chemicals and mixing by which colloidal and suspended materials are destabilized and agglomerated into flocs.

Compliance cycle means the nine-year calendar year cycle during which public water systems must monitor. Each compliance cycle consists of three three-year compliance periods. The first calendar year cycle begins January 1, 1993 and ends December 31, 2001; the second begins January 1, 2002 and ends December 31, 2010; the third begins January 1, 2011 and ends December 31, 2019.

Compliance period means a three-year calendar period within a compliance cycle. Each compliance cycle has three three-year compliance periods. Within the first compliance cycle, the first compliance period runs from January 1, 1993 to December 31, 1995; the second from January 1, 1996 to December 31, 1998, the third from January 1, 1999 to December 31, 2001.

Conventional filtration treatment means a series of processes including coagulation, flocculation, sedimentation, and filtration resulting in substantial particulate removal.

Corrosion inhibitor means a substance capable of reducing the corrosivity of water toward metal plumbing materials, especially lead and copper, by forming a protective film on the interior surface of those materials.

Direct filtration means a series of processes including coagulation and filtration but excluding sedimentation resulting in substantial particulate removal.

Disinfection means a process which inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

Domestic or other non-distribution system plumbing problem means a coliform contamination problem in a public water system with more than one service connection that is limited to the specific service connection from which a coliform-positive sample was taken.

Dose equivalent means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified the International Commission on Radiological Units and Measurements (ICRU).

Flocculation means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles through gentle stirring by hydraulic or mechanical means.

Ground-water under the direct influence of surface water (GWUDI) means any water beneath the surface of the ground with significant occurrence of insects or other macroorganisms, algae, or large-diameter pathogens such as *Giardia lamblia* or *Cryptosporidium*, or significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH which closely correlate to climatological or surface water conditions.

Haloacetic acids (five) (HAA5) mean the sum of the concentrations in milligrams per liter of the haloacetic acid compounds (monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, monobromoacetic acid, and dibromoacetic acid), rounded to 2 significant figures after addition.

Initial compliance period means the first full three-year compliance period which begins at least 18 months after promulgation, except for contaminants listed at §141.61(a)(19)-(21), (c) (19)-(33), and § 141.62(b)(11)-(15), initial compliance period means the first full three-year compliance period after promulgation for systems with 150 or more service connections (January 1993-December 1995), and first full three-year compliance period after the effective date of the regulation (January 1996-December 1998) for systems having fewer than 150 service connections.

Large water system, for the purpose of subpart I of this part only, means a water system that serves more than 50,000 persons.

Lead service line means a service line made of lead which connects the water main to the building inlet and any lead pigtail, gooseneck or other fitting which is connected to such lead line.

Legionella means a genus of bacteria, some species of which have caused a type of pneumonia called legionnaires disease.

Level 1 assessment is an evaluation to identify the possible presence of sanitary defects, defects in distribution system coliform monitoring practices, and (when possible) the likely reason that the system triggered the assessment. It is conducted by the system operator or owner. Minimum elements include review and identification of atypical events that could affect distributed water quality or indicate that distributed water quality was impaired; changes in distribution system maintenance and operation that could affect distributed water quality (including water storage); source and treatment considerations that bear on distributed water quality, where appropriate (e.g. whether a ground water system is disinfected); existing water quality monitoring data; and inadequacies in sample sites, sampling protocol, and sample processing. The system must conduct the assessment consistent with any State directives that tailor specific assessment elements with respect to the size and type of the system and the size, type, and characteristics of the distribution system.

Level 2 assessment is an evaluation to identify the possible presence of sanitary defects, defects in distribution system coliform monitoring practices, and (when possible) the likely reason that the system triggered the assessment. A Level 2 assessment provides a more detailed examination of the system (including the system's monitoring and operational practices) than does a Level 1 assessment through the use of more comprehensive investigation and review of available information, additional internal and external resources, and other relevant practices. It is conducted by an individual approved by the State, which may include the system operator. Minimum elements include review and identification of atypical events that could affect distributed water quality or indicate that distributed water quality was impaired; changes in distribution system maintenance and operation that could affect distributed water quality (including water storage); source and treatment considerations that bear on distributed water quality, where appropriate (e.g., whether a ground water system is disinfected); existing water quality monitoring data; and inadequacies in sample sites, sampling protocol, and sample processing. The system must conduct the assessment consistent with any State directives that tailor specific assessment elements with respect to the size and type of the system and the size, type, and characteristics of the distribution system. The system must comply with any expedited actions or additional actions required by the State in the case of an E. coli MCL violation.

Man-made beta particle and photon emitters mean all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure, NBS Handbook 69, except the daughter products of thorium-232, uranium-235 and uranium-238.

Maximum residual disinfectant level (MRDL) means a level of a disinfectant added for water treatment that may not be exceeded at the consumer's tap without an unacceptable possibility of adverse health effects.

Medium-size water system, for the purpose of subpart I of this part only, means a water system that serves greater than 3,300 and less than or equal to 50,000 persons.

Near the first service connection means at one of the 20 percent of all service connections in the entire system that are nearest the water supply treatment facility, as measured by water transport time within the distribution system.

Point-of-entry treatment device" (POE) means a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building.

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Point-of-use treatment device (POU) means a treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that one tap.

Repeat compliance period means any subsequent compliance period after the initial compliance period.

Residual disinfectant concentration (“C” in CT calculations) means the concentration of disinfectant measured in mg/l in a representative sample of water.

Sedimentation means a process for removal of solids before filtration by gravity or separation.

Small water system, for the purpose of subpart I of this part only, means a water system that serves 3,300 persons or fewer.

Surface water means all water which is open to the atmosphere and subject to surface runoff.

Too numerous to count means that the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

Virus means a virus of fecal origin which is infectious to humans by waterborne transmission.

40 CFR §141.91 Recordkeeping requirements:

“Any system subject to the requirements of this subpart shall retain on its premises original records of all sampling data and analyses, reports, surveys, letters, evaluations, schedules, State determinations, and any other information required by §§141.81 through 141.88. Each water system shall retain the records required by this section for no fewer than 12 years.”

APPENDIX C - CITED DEFINITIONS

To Env-Dw 715 and Env-Dw 716 (Doc. #9619 & #9620, eff 1-1-10)

RSA 485:1-a Definitions. – As used in this chapter, unless the context clearly indicates otherwise, the following words shall have the following meanings:

I. “Community water system” means a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

XI. “Non-transient non-community water system” means a system which is not a community water system and which serves the same 25 people, or more, over 6 months per year.

XVI. “Supplier of water” means any person who controls, owns or generally manages a public water system.”

XV. “Public water system” means a system for the provision to the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. Such term includes (1) any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system, and (2) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Any water system which meets all of the following conditions is not a public water system:

(a) Consists only of distribution and storage facilities (and does not have any collection and treatment facilities);

(b) Obtains all of its water from, but is not owned or operated by, a public water system; and

(c) Does not sell water to any person.

NH Admin. Rules Env-Ws 302:

Env-Ws 302.29 “Filtration” means a process for removing particulate matter from water by passage through porous media.

Env-Ws 302.82 “Total trihalomethanes (TTHM)” means the sum of the concentration in mg/L of the trihalomethane compounds trichloromethane (chloroform), dibromochloromethane, bromodichloromethane, and tribromomethane (bromoform), rounded to 2 significant figures.

Env-Ws 302.83 “Transient non-community water system (TWS)” means a non-community water system that serves at least 25 persons in a transitory setting such as a restaurant for more than 60 days each year.