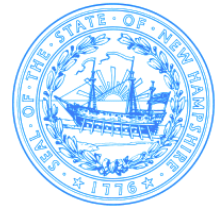




The State of New Hampshire  
**Department of Environmental Services**



**Robert R. Scott, Commissioner**

April 23, 2024

The Honorable Kevin Avard  
Chairman, Energy and Natural Resources Committee  
State House, Room 103  
Concord, NH 03301

**RE: HB 1142 An Act relative to eligibility for permits for the septic system designer program**

Dear Chairman Avard and Members of the Committee:

Thank you for the opportunity to testify on HB 1142. The bill, as amended, would require individuals that do not pass the examination to demonstrate additional training in the profession of septic system design or septic system installation to be eligible to take the examination again. The New Hampshire Department of Environmental Services (NHDES) takes no position on this bill but offers the following information for your consideration.

Under RSA 485-A:35 and 485-A:36, septic system designers and installers are required to be permitted by the NHDES. To obtain a permit to design or install septic systems, candidates must pass an exam on topics such as: septic system design and installation procedures, preparation of septic plans to scale, regulations regarding sewage loading and setbacks, and acceptable field modifications from approved plans. Ultimately, the permitting program protects public health and the environment because, if a septic system is not designed or installed properly, the system will fail prematurely resulting in an immediate health hazard and potential groundwater or surface water contamination. Currently, there are no prerequisites for taking the exam.

In 2023, the NHDES administered the exams to 195 prospective installers and 54 prospective designers. Unfortunately, eighty percent of people taking the exams did not pass because they lacked training and experience in the industry. In response, NHDES has significantly clarified the exam, posted a study guide for the exam on our website, and coordinated with third parties offering preparatory courses. We expect these steps will help some but will not fix the problem entirely.

The key challenge is that many applicants believe that they can pass the exam by simply reading the NHDES Env-Wq 1000 rules. The rules only govern what is needed for subsurface permits, they do not include information about the underlying knowledge needed to prepare and install new systems. Candidates also need institutional knowledge and/or hands-on experience in soils/site evaluation, preparing and understanding septic plans, basic surveying, and construction materials and methods for the installation of septic systems.

Candidates who are unprepared often retake the exam multiple times in a row to try to pass. This approach is rarely successful and only serves to increase the number of people signing up each time the

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exam is offered. This in turn limits other applicant who may wish to test on a date that is full and increases the associated state resources expended to administer the exam.

The root cause of the low pass rate on the exam is the limited educational opportunities in the septic design and/or installation professions. A few exam preparatory courses are offered by third parties. There are no trade schools with programs on this subject in the state. Therefore, in 2023, NHDES began working with New Hampshire Technical College (NHTI) to develop and offer courses for applicants to gain the knowledge that is necessary to become a permitted septic designer and/or installer.

HB 1142 would require anyone who does not pass the exam to obtain additional training before being allowed to take the exam again. This change will free up resources at NHDES to continue to improve the exam and work with partners on training opportunities. Ultimately, these changes will encourage candidates to get the training and experience they need to be successful and to provide the state with a qualified workforce.

Thank you again for the opportunity to comment on HB 1142. Should you have questions or need additional information, please feel free to contact Philip Trowbridge, Administrator of the Land Resources Management Program ([Philip.R.Trowbridge@des.nh.gov](mailto:Philip.R.Trowbridge@des.nh.gov), 603-271-4898) or Scott Hazelton, Administrator of the Subsurface Systems Bureau ([Scott.A.Hazelton@des.nh.gov](mailto:Scott.A.Hazelton@des.nh.gov) 603-271-2904).

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott". The signature is fluid and cursive, with a large initial "R" and "S".

Robert R. Scott  
Commissioner

ec: Sponsor of HB 1142: Representative McConkey